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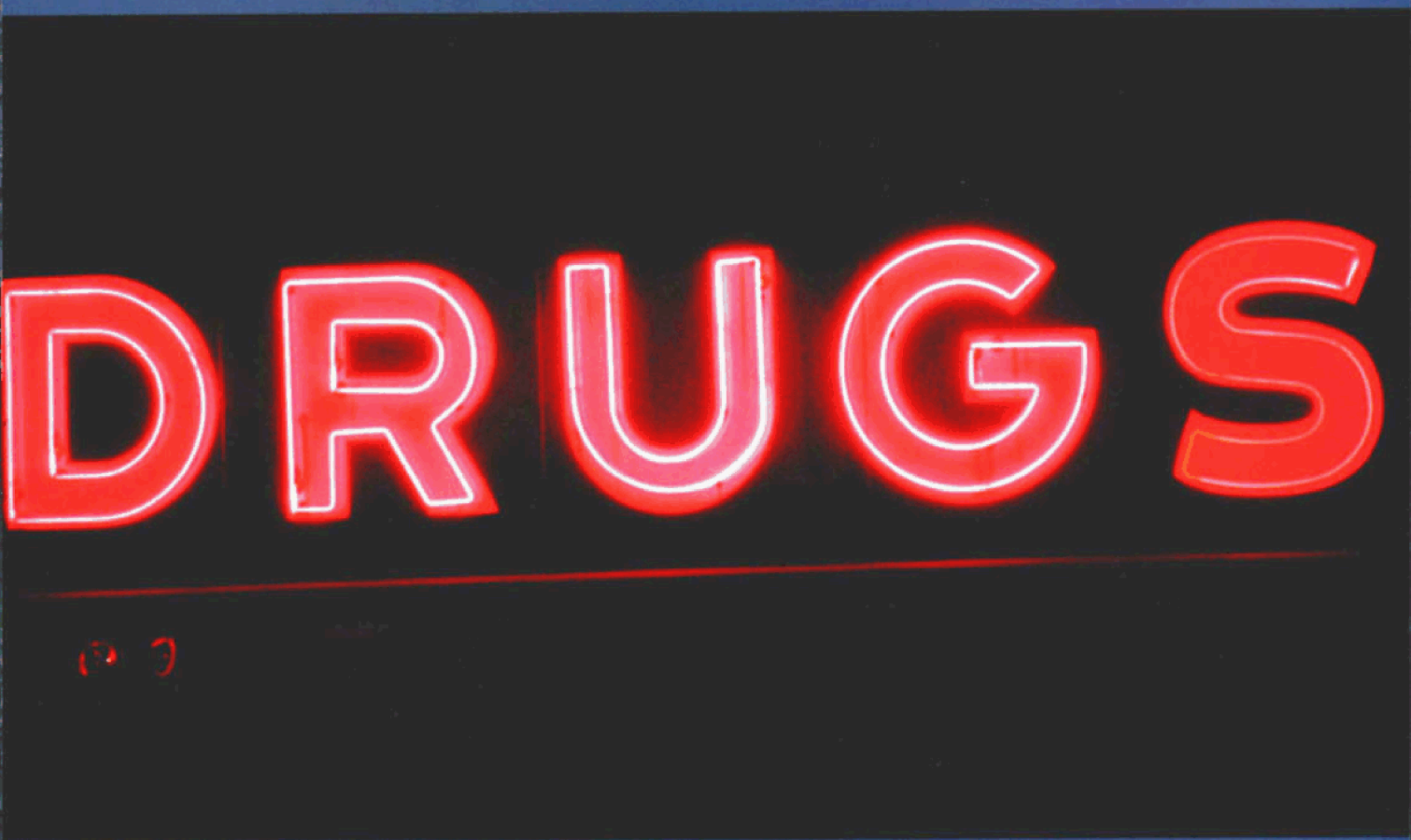

Sex, Drugs & Techno Music
Why the rap against Ecstasy has a familiar ring to it

Virtual Warriors
Nostalgia, World War II, and baby boomer cinema

Battlefield Conversions
Meet three top-level defectors from the War on Drugs

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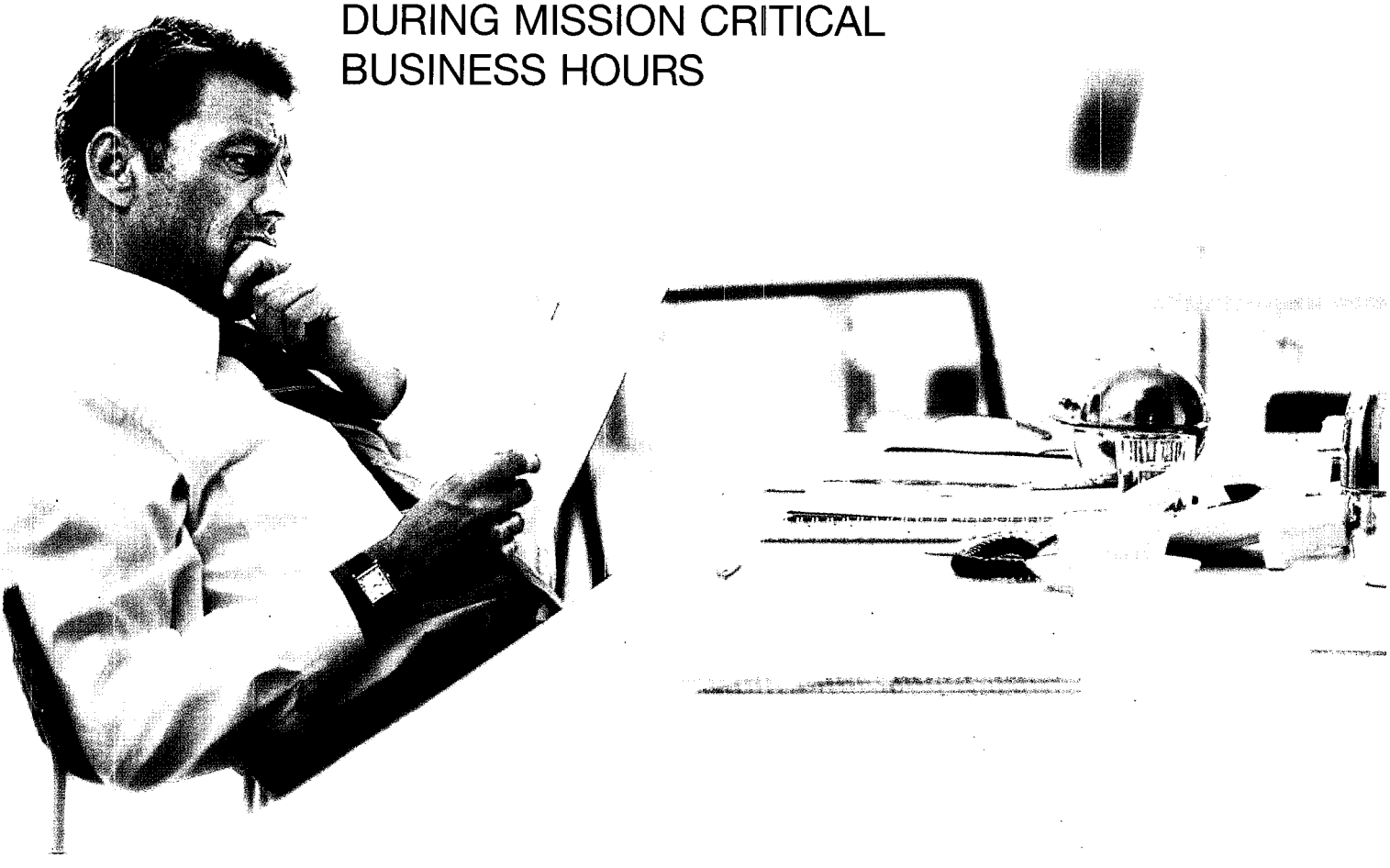

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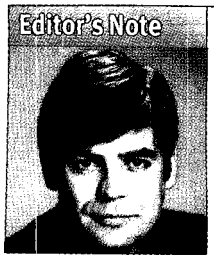


IF THE TOPIC is illegal drugs, then a little candor is in order: I first smoked dope late one spring afternoon in the seventh grade, on a shady corner of the playground behind good old St. Mary's grammar school in New Monmouth, New Jersey. (Bless me, father, for I did sin.) I didn't get high that day, though I remember the weird sensation of taking my first hit off a joint while squinting across the playground at a cement statue of the Virgin Mary. Her arms were outstretched, her palms were turned upward, and her eyes were cast toward heaven in what struck me as a display of exasperation with the bad conduct she was witnessing.

After that precocious experience, I didn't experiment with drugs again until I was in college. By then, I was more adventurous and after long days of studying (really), I tore through pretty much whatever was at hand: pot and alcohol mostly, but also acid, mescaline, Ecstasy, mushrooms, coke, and meth. Why? Partly in earnest pursuit of expanded, even "cosmic," consciousness. (I'd read a lot of Aldous Huxley and Herman Hesse—bless me again, father.) But mostly I did drugs because they were fun and I liked the way I felt when I was high.

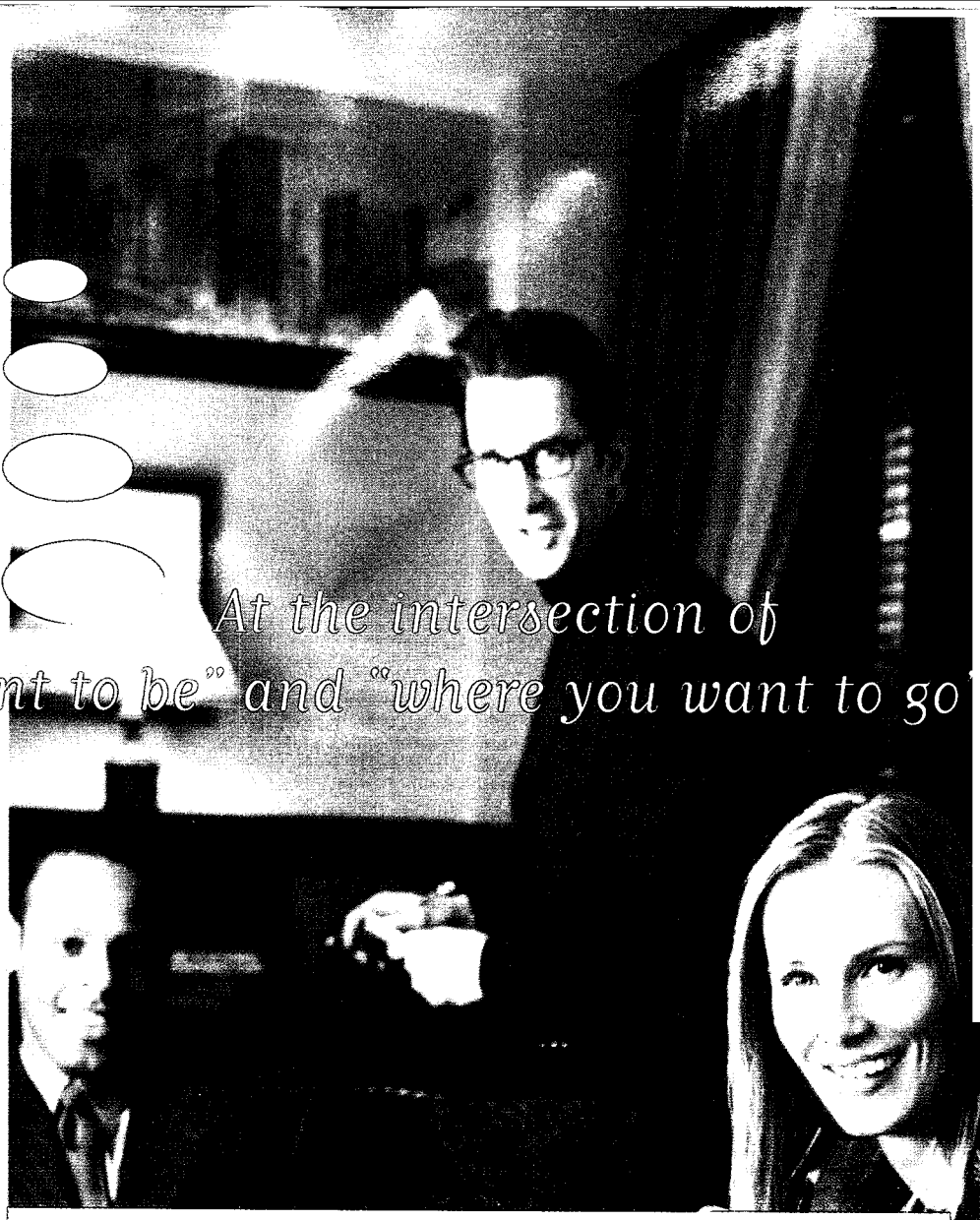
After college, I continued to engage in similar bouts of recreational drug use. As I've grown older, and especially as I've become a parent, such moments have become increasingly rare. That's mostly because of time: Work and family take precedence over what might be called optional leisure-time experiences. Indeed, for exactly the same reasons, I don't—alas—exercise as much as I used to.

I recount all this neither to boast of an unsavory pedigree nor to confess to dark, personal demons. In fact, there's little extraordinary in such biographical material: According to the federal government's latest National Household Survey on Drug Abuse, which tallies the frequency and types of drug use, about 39 percent of Americans 12 years and older—some 87 million people—said they had used illegal drugs at least once; about 11 percent—25 million people—reported using drugs in the past year. What's more, drug use typically climbs during adolescence, peaks in the late teens and early 20s, and then begins a long decline, interrupted only by a slight uptick among 40-44-year-olds (something to look forward to, I suppose).

I mention my drug use as a way of introducing several stories in this issue that take a sharply critical look at the War on Drugs, that $40 billion annual effort by government to keep people from using certain "illicit" substances. Senior Editor Jacob Sullum's "Sex, Drugs & Techno Music" (page 26) demonstrates how recent stories about the drug Ecstasy tell us more about longstanding social anxieties regarding sex and youth than they do about today's kids. In "Battlefield Conversions" (page 36), National Correspondent Michael W. Lynch talks with a former police chief, a former federal drug agent, and a California Superior Court judge and learns why they've turned their backs on the drug war. Finally, in "A Splendid Little Drug War" (page 63), Contributing Editor Glenn Garvin explores how drug policy has thoroughly perverted U.S. relations with Latin America.

These are very different stories, but they have this in common: They recognize that drug prohibition is underwritten by the sense that drug users are strange, alien beings—"others" who are out of control and must be stopped, for their good and ours. Each of these pieces underscores that in fact, the opposite is more likely to be true: It's the people prosecuting the drug war who need to be stopped—the sooner, the better.

Nick Gillespie



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Jeff A. Taylor

Brian Doherty

Michael Moses

Since 1999, JEFF A. TAYLOR has tallied **reason**'s "Balance Sheet," a monthly accounting of gains and losses for freedom. (See page 15.) Though his career began in South Carolina's alternative newspaper scene, he hit the Beltway in 1990 and has been dissecting D.C. politics ever since. Today, the Maryland-based Taylor is a part-time journalist and a full-time house dad, a job he compares to retail: "The hours are long, the pay is bad, and your customers are always cranky." Taylor also pens Reason Express, our popular weekly e-newsletter. Visit reason.com for details on signing up.

"What's killing us these days is our own behavior," says **reason** Associate Editor BRIAN DOHERTY. As his story on the World Health Organization's odd priorities (see "WHO Cares?" on page 46) makes plain, that's real progress: It used to be that infectious diseases killed us, not fatty diets and too much fun. Doherty is part of **reason**'s Los Angeles crew and runs a small indie music label, Cherry Smash Records, in his spare time. Which helps explain his piece in the November **reason**, "The Free-Floating Bob Dylan: The Wonderfully Inauthentic Art of America's Most Vital Singer-Songwriter."

MICHAEL MOSES provides a new reason to despise the baby boomers in "Virtual Warriors," his critique of that generation's recent foray into war cinema. (See page 54.) Ironically, the 44-year-old Moses, an associate professor of English at Duke University and author of *The Novel and the Globalization of Culture* (1995), is himself a boomer. But he likes to underscore that while he may technically be a member of that club, he has little sense of generational solidarity: "I feel more like the generation after the boomers—and far less confident in the powers of government or authority to do good in the world," he says. As for war films, he's unabashedly a fan and his top picks include John Ford's *They Were Expendable* and Francis Ford Coppola's *Apocalypse Now*.

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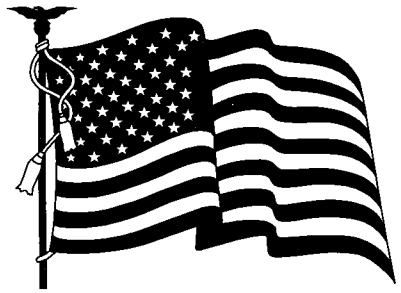

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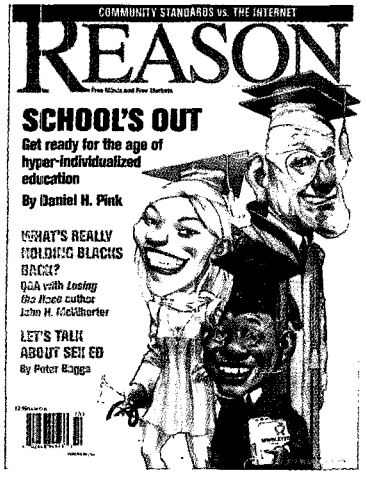
COMMUNITY STANDARDS VS. THE INTERNET
REASON
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Get ready for the age of hyper-individualized education
By Daniel H. Pink
WHAT'S REALLY HOLDING BLACKS BACK?
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School's Out

I just read Daniel H. Pink's article on individualized education: very well done ("School's Out," October). As an "unschooling" mom, I found quite useful his analogy of unschooling to free agency. Both come from a love and appreciation for freedom—freedom to decide what and when you will do or learn something.

Of course, in today's society, people balance freedom with security. More security means less freedom, and typically leads to more consumerism and less self-awareness. Steady job, steady income, steady consumerism. In the traditional school, students learn not to think for themselves, since that is usually trouble for the teacher. They're also not encouraged to understand themselves.

Unschooling is working for us. My two kids, 5 and 7, clamor to read, practice the piano, learn the human skeletal system, and build a Lego village—all without prompting from me. They know they have a choice. They play well with other kids, and have lots of confidence. Schooling moms wonder how I do it. I just smile, knowing the importance of freedom.
Jean Nunnally
Houston, TX

I can't thank Daniel Pink enough for his well-conceived validation of our choices as homeschool parents. I, too, never finished college, but have enjoyed great success in the computer industry, including designing my first ISP in 1994.

I am now in a 9–5 job near Tulsa, Oklahoma. We left the rat race of Denver, where I ran my own Oracle consulting firm in order to make homeschooling a little easier. I am hoping to get back into consulting, but for the time being I am teaching myself guitar, participating in building the tiny Unitarian Universalist Church here, and helping my wife homeschool by teaching the kids music and languages.

Just wanted to say thank you and let you know that you reached someone who is experiencing a personal renaissance because of his family's choice to homeschool.
Peter Hand
Bartlesville, OK

Like Daniel Pink, I am a product of the Ohio public schools of the 1970s. Contrary to "system" advice to learn a trade in joint vocational school, I completed high school in 1978, attended a liberal arts college, and then graduate school. Pursuing the only thing that I have ever been any good at, mathematics, I am now a systems analyst for a large firm.

I agree that free agent learning is preferrable. Don't they say that a year on the job is like four in school? More often than not, however, parents do not have the resources, nor do students have the will, for such a course of action. Parents shouldn't be coerced into sending their children to public or private schools, but they need to be there for some.

My position is this: Public education should not go much beyond ninth or 10th grade. At least not full time, as Pink suggests. Public education should concentrate on fundamentals, and allow students to explore their interests independently, with minimal guidance.
Otto Burgess
Dayton, OH

Daniel Pink poses the riddle: If we're so dumb, how come we're so rich? He argues that it is because of homeschooling and free agency trends.

Certainly there have been changes taking place in our K–12 and higher education systems. But whether such changes, which have been confined primarily to the past decade, have propelled the U.S. to a leadership position in the world over the last century is highly arguable.

I suggest that he has overlooked a much simpler explanation for why we do so badly on those tests while demonstrably achieving so much in other arenas (Nobel Prizes, patents, space exploration, scientific discoveries, etc.). Perhaps this gap exists simply because the tests don't matter; that whatever they test does not account for much in terms of life success and creative entrepreneurship. They do test knowledge, but after school one also has to apply and use that knowledge, requiring a lot of skills never covered in those tests.

Compared to other countries, maybe our educational system is much more fluid, flexible, and effective than he thinks. It's certainly less stratified and more upwardly mobile than that in almost any other industrialized country. And let's remember, there is a glass ceiling of sorts in regards to homeschooling in this age of two-wage-earner households: It only works when someone is home.
Bill Barrett
San Francisco, CA

"School's Out" makes homeschooling sound a lot better than I've known it to be. Daniel Pink sees homeschooled kids as "independent learners" full of authenticity who "define success on their own terms." I've seen homeschooled kids coming to college thinking, sounding, and even looking exactly like their parents. This has made me appreciate the positive force of school as a bridge between home and society-at-large. Homeschooling more or less equals provincialism.

Pink also begs questions of how "free agents" will construct civic life. The metaphor takes off from professional sports, and the experience of real free agency there should make Pink and others reassess their enthusiasm. There's little continuity to team rosters, and the quality of play suffers greatly. Fans cannot identify with the transient, mercenary players; all that's left is (as Jerry Seinfeld noted) laundry—what the uniform looks like on different guys, all selfishly trying to pad their statistics to get a better contract. Good luck building a good society on these principles.

Pink also comes across in print as quite the philistine. He suspects that "fancy colleges" will suffer under free agency, showing no appreciation that education has value beyond credentialing and social networking. He gushes that millionaires come out of the ranks of undereducated free agents, but I've met a number of them, and sorry, they are, to a person, boors. Big damn deal they have money to burn on SUVs, pretentious restaurants, and mega-stereos on which to play their Kenny G and John Tesh discs.
Jeff Zorn
San Francisco, CA

"People's need for knowledge doesn't respect semesters. They'll want higher education just in time—and if that means leaving the classroom before earning a degree, so be it," writes Daniel Pink.

Yet some people see time invested in education as more than job preparation. When Franklin D. Roosevelt graduated Harvard in three years, he stayed a fourth anyway. Sure, there will always be people like Bill Gates, who left Harvard early, but I don't think anyone would accuse Gates of being a "well-rounded individual."

The future of education will be life-long learning. Much of that will come from independent reading, and taking classes here and there, even on-line. However, a college degree is worth no less now than it ever has been. There are tech careers, such as Web development, where know-how is more important than sheepskin, but throughout our history, the correlation of degrees with high salaries and low unemployment has been dramatic. Don't bank on that changing.
Bruce Mitchell Sabin
Deltona, FL

Daniel Pink asserts that school is a modern invention, not "something we inherited from antiquity." This is utterly untrue.

Formal schooling was practiced widely and with much success in Athens in the fifth century BCE. Parents chose and paid for their teachers, and teachers competed with one another for the opportunity to serve students. In the Hellenistic era circa 200 BCE, the Athenian model of free-market education had been reproduced all over the Mediterranean. Though imperfect, these schools spread literacy beyond a tiny ruling elite to much of the free population, despite what we would consider crushing poverty and technological backwardness. Nurtured by its unregulated education system, Athens enjoyed a cultural explosion the like of which has seldom been seen since, almost

Correction

Robert C. Bonner's name was inadvertently truncated in Jacob Sullum's "Drugs and Thugs" (December). We regret the error.

single-handedly creating the Western cultural tradition and literally inventing democracy (albeit in a crude and problematic form).

Even state-run and state-funded compulsory school systems are not a recent invention. The Spartans, just a hundred miles from Athens, contemporaneously developed such a public system. It focused on military training to the exclusion of virtually all else. Neither parental choice nor dissent were tolerated. Sparta's cultural legacy, not surprisingly, amounts to little more than a useful adjective and a name for high-school football teams.

Andrew J. Coulson
Senior Fellow
The Mackinac Center for Public Policy
Mackinac, MI

Daniel Pink replies: The response to this story—both its volume and its intensity—was astonishing. For the majority of readers, the critique of dreary classrooms and bureaucratic schools resonated with their own experiences.

Of course, some readers took issue with certain arguments. I learned from Andrew Coulson that free agent schooling thrived in Athens. Bill Barrett argues that Americans flourish in spite of meager test scores because tests don't measure what matters and because the U.S. system is more fluid. I agree.

A handful of readers offered perspectives similar to Bruce Sabin's. My view: Yes, a college diploma will remain an important form of certification. ("B.A. Harvard" on a résumé functions somewhat like "Intel Inside" on a computer.) However, colleges and universities won't be the only entities performing this function. Professional associations and unions will provide both learning and imprimaturs. And one's portfolio of adult work will ultimately matter more than one's youthful report card.

Jeff Zorn, alas, tumbled into a trap of his own making. Leaving aside the fact that he labels me a philistine while quoting Jerry Seinfeld, he argues that free agency will destroy education as surely as it wrecked baseball. Let's hope so. Since baseball's free agent era began 25 years ago, fan attendance has soared, the value of franchises has increased, television revenue has climbed, a greater variety of teams have won pennants, and a host of once unassailable records have fallen. To paraphrase another television icon, free agency has been berry, berry good for beisbol. It will, I suspect, be very, very good for learning, too.

Our Mad Scientist

Ronald Bailey's "Blastocyst Brouhaha" (October) was so annoying, and the logic so puerile, that I must speak against it.

Surely anybody can distinguish between a sloughed-off skin cell and a fertilized egg. In the normal course of events, one will become an infant, and the other won't. At some time in the future the two may, with tremendous scientific intervention, both become human. But that does not make them identical, just as the inevitable similarity of any human's end does not make us all identical.

There are other reasons to oppose using blastocysts for research. If one believes in a unique human soul, one must suppose that at some point it inhabits the agglomeration of cells that will become a human. There is no logical reason to suppose that this does not happen at fertilization; indeed, I can't think of any logical reason to pick any other moment for this event. If you accept the possibility of a human soul, or even believe in human dignity, then reason counsels prudence, caution, and consensus before embarking on the wholesale slaughter of blastocysts.

In fact, if we follow Bailey's reasoning, there is nothing to stop us from manufacturing zygotes solely to be harvested for the benefit of others. But where do we draw the line? At what point in development is it no longer allowable to destroy one life that another may live—or have his quality of life improved? Any line drawn is arbitrary, and cannot be defended logically from those who will keep smearing the lines.

I sometimes watch old horror flicks, in which a "mad scientist" rationalizes his awful experiments, in which monstrous acts are done for "the good of humanity." Until I read Bailey's piece, I had not realized that Dr. Frankenstein's ethos had penetrated to my favorite magazine. Except here, Bailey is crying, "It's not alive, it's not alive!"

Lindsay Peet
Studio City, CA

Attention College Students

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But there's good news. Across America, there are places where prohibition is being rejected and replaced with sensible, compassionate legislation. Ten states no longer arrest people just for smoking marijuana. In nine states, doctors are allowed to recommend medical marijuana for patients in need.

It's time to change state and federal laws that make criminals out of law-abiding citizens.

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I want to stop the war against marijuana smokers.

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Foot-shooting philanthropy; uninhibited Web porn; intellectual property rules; currency across borders; political motorists; an army of more than one; and beneficial bankruptcy

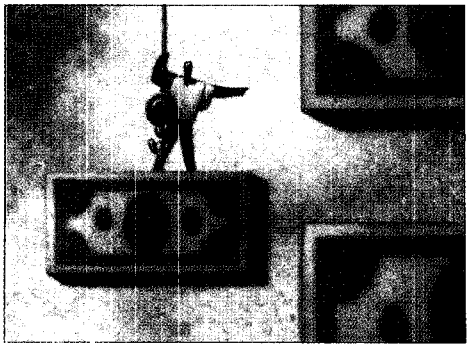
Foot-shooting philanthropy

Delicious Irony

Sam MacDonald

WHY IN THE world would an enormous multinational corporation give millions of dollars to pesky anti-globalization groups? It's all about the ice cream.

On October 16, Britain's *Financial Times* ran an almost humorous piece on how consumer products giant Unilever lavishes piles of cash on vocal street marchers such as Global Exchange, the Ruckus Society, and United for a Fair Economy. The bizarre subsidy began last year, when Unilever took over Ben & Jerry's, the famously left-wing ice cream company. It seems the hippies at B&J mustered one last socially conscious gasp before bolting with the cash.



According to the *Financial Times*, "When Unilever was courting Ben Cohen and Jerry Greenfield last year, the Anglo-Dutch group agreed to contribute [$5 million] to Ben & Jerry's Foundation, another [$5 million] for a venture capital fund for ethical start-ups called Hot Fudge, to be run by Mr. Cohen, and a minimum [$1 million] a year commitment to grants for social change groups."

Unilever isn't the only corporate masochist. The Capital Research Center (capitalresearch.org), a conservative nonprofit that studies corporate giving, has found that businesses regularly give huge chunks of change to the very protesters who would bring them harm. In the latest version of its annual *Patterns of Corporate Philanthropy*, the CRC reports that "corporations like Aetna, Merrill Lynch, Georgia Pacific and Target Stores—along with many others—donated $31.7 million to left-of-center groups advocating bigger government, more regulation and higher taxes, vs. only $8.1 million to groups advocating free market solutions, lower taxes and conservative reform."

These numbers are for 1997, the latest year for which numbers are available, but if Unilever is any indication, the pattern is still holding true.

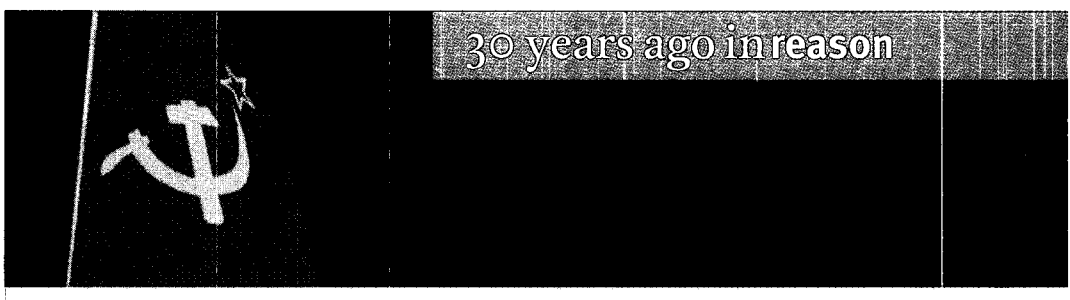
Uninhibited Web porn

Erogenous Zones

Michael W. Lynch

IN SEPTEMBER, STAY-at-home strippers won a two-year battle to let 30 webcams at voyeur dorm.com keep recording every move they make. The Web site is not actually a dorm of coeds, but a fully wired house in Tampa's Wellswood neighborhood. For a monthly fee of $39.95, people from all over world can watch the eight women go about their domestic business, much of it sexual.

Tampa, which hosts such adult entertainment greats as the strip clubs Mons Venus and Thee Dollhouse, tried to shut the budding e-business down. According



"It was some time before I realized what was so sorely missing in Russian cities; but when I flew into Moscow at night, and in all that vast city the one thing most conspicuous from the air was the large red star in Red Square, it came home to me that there were no bright lights in Russia."

—John Hospers, "Impressions of Soviet Russia, 1971"

"In a surprisingly fast action last fall, Congress revived the military draft, which had been in limbo all summer, thanks to an anti-war filibuster."

—Trends, "Ending the Draft"

"Los Angeles, home of nude dancers and waitresses, may add another distinction to its list of American trend initiations....The Los Angeles City Council has recommended removing the city's ban on exposing the female breast in parks and on beaches."

—Trends, "Nudity Rears Its Head in LA (Again)"

to the city, the dorm violated the clear wording of the zoning code, which bans adult entertainment businesses from residential neighborhoods. Voyeurdorm.com, which took in $3.2 million from August 1998 to June 2000, countered that its products were not consumed on site, so the zoning rules didn't apply. A federal district court rejected that argument in November 2000, finding for the city. But this fall a federal appeals court panel sided with the strippers.

Now it's the city's turn to appeal. It's asked for an *en banc* hearing of the U.S. 11th Circuit Court of Appeals, which means it will appeal the panel's ruling to the entire court. At press time, there's no word on if or when the next round will be heard. In the meantime, the site is still open for business.

Intellectual property rules

Tasty Animals

Sara Rimensnyder

DON'T MOCK ANIMAL rights activists—they might take you to court. Michael Doughney found that out when he borrowed the acronym of the world's most prominent animal rights group to create www.peta.org, the People Eating Tasty Animals site—"a resource for those who enjoy eating meat, wearing fur and leather, hunting, and the fruits of scientific research."

Late last summer, a U.S. appeals court ordered Doughney to give up the PETA domain name, agreeing with People for the Ethical Treatment of Animals that it was an infringement on its trademark. The judges also found that Doughney had violated the Anti-Cybersquatting Consumer Protection Act, a law passed several years *after* the obviously fake PETA site went online.

The act permits judges to apply it retroactively, if they find that a defendant acted in "bad faith" with intent to profit. Doughney dug his own grave on that point by remarking to a reporter that PETA should buy the domain name if they weren't happy with how he was using it. But Doughney's lawyer, G. Gervaise Davis, calls the bad faith charge absolutely absurd: "The guy has never sold a domain name to anybody," although he owns dozens. And the PETA site clearly wasn't designed to make a buck.

The case suggests that trademark rights trump fair use. That should make even PETA activists wary, since the group regularly lampoons companies' trademarks and slogans in its campaigns.

Most famous is its "Got Cancer?" campaign, which by playing off the "Got Milk?" slogan mocks an official trademark of the National Milk Processor Promotion Board. But most infamous were the "Got Prostate Cancer?" billboards, featuring New York Mayor Rudy Guiliani with a milk mustache. PETA put up the billboards shortly after the mayor announced he was stricken with the potentially fatal disease.

Currency across borders

Free Money

Rachel Alembakis

FRENCH PRIME MINISTER Lionel Jospin, a likely presidential candidate in his country's 2002 elections, has thrown his support behind a plan to tax all currency speculation transfers originating in Europe. In August, Jospin told a group of young Socialists that France should propose the tax to the European Union.

The Tobin Tax—named after Nobel Prize–winning economist

James Tobin, who came up with the idea—is championed by a coalition of anti-globalization groups and trade unions. They worry that a free market for capital threatens to destabilize the world's weaker economies—a hotly controversial issue since the Asian tigers collapsed in 1997, beginning with a rush to dump Thai bahts.

"It's a relatively simple idea. There is a market for currency speculation, and in fact, this speculation contributes to the sterilization of real economies," says Pierre Tartakowsky, secretary general of the Association for the Taxation of Financial Transactions for the Aid of Citizens. "The idea was to reduce the amount of capital flight by a slight tax on...profit realized by the transactions."

Though no numbers have been formally discussed, proponents have suggested tax rates ranging from 0.1 percent to 1 percent. Considering that more than $1.5 trillion in foreign exchange transactions take place each day, the levy would translate into hefty revenues. According to Tartakowsky, the European Parliament would spend the money on projects to assist developing countries.

The plan's many critics argue that it is difficult to distinguish between currency speculation and legitimate transfers of money from international corporations, and that it is almost impossible to implement the tax successfully unless it is levied worldwide.

At a September meeting of the European Commission of Economic and Finance ministers in Liege, Belgium, the ministers agreed to a feasibility study on »

Quotes

"The movies set the pattern, and these people have copied the movies....How dare we continue to show this kind of mass destruction in movies?"

—Film director Robert Altman in an October 16 interview with the Associated Press, charging that Hollywood inspired the September 11 attacks

"A monopoly of organised violence is one of the defining powers of the modern state, achieved slowly and with difficulty. Now war, like so much else in the age of globalisation, has slipped out from the control of governments."

—John Gray, *The New Statesman*, 24 September 2001

Sources

With mainstream media focused on today's more corporeal threats—exploding bombs, anthrax scares, the economy—online town criers have highlighted less tangible dangers, such as infringement of Constitutional rights.

Three impromptu Web sites of particular note: Journalist Declan McCullagh offers wartimeliberty.com, for "factual, no-nonsense information about the tension between liberty and security during wartime." The Newspaper Guild's "Patriotism's 2-Edged Sword" site, at newsguild.org/2edged.php, chronicles encroachment on press freedoms. And the Electronic Frontier Foundation (eff.org) tracks sites harrassed for running "unpatriotic" content or compromising national security.

Brickbats

The cover of Colorado Free University's latest course catalog pictures a Japanese swordsman in traditional uniform wielding a large sword. The picture, submitted by a teacher of Japanese fencing and martial arts, has caused a stir. Many local residents called and wrote letters protesting the "Arabian soldier." Others complained the catalogue looked like a terrorist publication. Said one caller, "I'm going to protest your college until you don't have no more college students going to your college."

In Montgomery County, Maryland, police paid informers to hire prostitutes for sex during investigations. The men went into massage parlors, had sex, and then reported their activities. The police then raided the parlors, arresting the women working there.

A national audit of the Immigration and Naturalization Service found that 61,000 items worth nearly $70 million were missing. Among the lost items were 539 weapons, including a gas-grenade launcher and 39 machine guns. Six missing guns were later linked to crimes.

Since 1998, 12 Ohio state agencies have paid a total of $50,986 to a humor consultant. The man charges up to $2,000 an hour and unzips his pants in public. His job is to reduce stress among state workers. He does this by cajoling them into laughing out loud. When that fails, he unzips.

For months, Charles Schrader of Inverness, Florida, had been complaining about the local school board opening its meetings with Christian prayers. Finally, Schrader, a Wiccan, started saying his own prayers out loud during the invocations. That's when school board chair Patience Nave had him removed from the meetings, citing a state law that prohibits disrupting an educational function.

In these troubled times, some say children need to be shielded from scenes of violence. So Michael Morris, principal of Jefferson Middle School in Fort Wayne, Indiana, had a mural of the school's mascot, a colonial minuteman, painted over to remove the soldier's musket. "This sends a stronger, better message about patriotism," Morris said.

In Bangkok, police officers are notorious for extorting money from street vendors. Gov. Samak Sundaravej is trying to crack down on the practice. Having had little success through political methods, he has now placed a curse on all the crooked cops.

The Gininderra Christian Church in Canberra recently passed out a leaflet to members warning of the perils of Harry Potter books. The tract, purporting to show how the books seduce readers into Satanism, was largely plagiarized from the satirical Web site *The Onion*. No one realized the piece was fictional. "We just wanted to let people know what was happening around the place and what people were saying," the pastor explains.

Charles Oliver

» the tax. But some officials were outspoken in their criticism. "I didn't understand one minister who was in favor of the Tobin Tax," Jean-Claude Juncker, Luxembourg's prime minister and finance minister, told the French daily *Liberation*.

Political motorists

Plate Debate

Sara Rimensnyder

"SINCE WHEN HAS protecting, honoring, and celebrating a freedom that we have become a controversial statement?" asks Florida state Rep. Ken Littlefield, a Republican.

He's introduced a bill to add a license plate for gun lovers to the roster of more than 50 specialty tags offered by the Sunshine State. His design, picturing an armed minuteman and the slogan "Protect the Second Amendment," would raise funds for school gun-safety programs. Or as Littlefield puts it, classes that would "instill again in our children the value and the sanctity of human life"—seemingly a tall order for a humble license plate program.

Rhetoric aside, the plate's message *is* controversial, and anti-gun rights activists have complained it would imply the state had endorsed one side of a political issue. But it wouldn't be the first or most contentious message to grace Florida tags.

Between August 2000 and 2001, 25,126 Floridians have shelled out $20 apiece for a "Choose Life" plate, the proceeds of which go to pro-adoption family planning clinics that don't offer abortions. That plate has so far survived on ongoing First Amendment challenge brought to the courts by the National Organization for Women, which has argued that it blurs the church-state boundary since "choose life" comes from a Bible verse in Deuteronomy. (That same argument successfully shot down a similar plate program in Lousisiana.)

Specialty plates, whose numbers are ballooning in most states, promise to keep courts busy for years. But hardly anyone has fussed about a more practical concern: Some of the more elaborate plate designs make it difficult to read the tag numbers.

Cyber complainers

Sue the Reviewer

Jesse Walker

IF YOU'RE GOING to Fullerton Community College, you might not want to take Biology 101 from Prof. Beta Meyer—word has it she's "always late, and never prepared. Plays favorites." Or so it says on whototake.com, a Web site that allows students to post their opinions of their teachers, often anonymously. Here the prospective pupil can learn who's good ("I feel like a whole new world has opened up to me"), who's bad ("she will attempt to crush you till she can

smell your blood"), who's unfair ("if you go to the bathroom during class he gives you a tardy"), and who's easy ("copy all your class notes for the test and you'll get an 'A'").

The site was created last year by James Warner, 24, a Fullerton student who felt his instructors could use a little consumer review. His site now examines professors in colleges across California, plus one school in Wisconsin. Some posts are effusively positive; some are harsh and angry. Some are thoughtful critiques; others reveal more about the reviewer than the professor. And all of them have angered Dana Clahane, a Fullerton professor of mathematics, who last March wrote Warner that "most of the information is misleading and often vicious," theorizing in an »

Balance Sheet

Jeff A. Taylor

Britain will no longer arrest citizens for possessing pot. The drug is now in the same category as anti-depressants and steroids. Penalties for selling pot will also be reduced. Officials say they will focus more on heroin and cocaine prosecutions.

The Net prepares to take up the slack caused by travel and snail-mail delays. AOL Time Warner says daily e-mail use peaked in September at 280 million messages —nearly double the 150 million of a year ago. Web shopping may also boom. Forrester Research projects a holiday e-commerce total of $11 billion, up 10 percent from 2000.

A California State Appeals Court says that the Decss software that unscrambles DVD codes is protected by the Constitution. Hollywood has argued the software is illegal and should be banned. The court said that the movie studios' "statutory right to protect [their] economically valuable trade secret is not an interest that is 'more fundamental' than the First Amendment right to freedom of speech."

The Internal Revenue Service allows estimated income tax payments to slide for anyone who expects the September attacks to take a big chunk out of his 2001 income. The ruling helps solve a cash-flow headache for small business owners who won't make as much money this year as last.

Developer Larry Silverstein, the man who helped the Port Authority privatize the World Trade Center by signing a $3.2 billion, 99-year lease just weeks before the towers were attacked, vows to rebuild on the site. Insurance and political hurdles remain, and new 110-story buildings are unlikely.

Goodwill Industries of South Florida fires Miami mayoral candidate Michael Italie, calling him a "subversive." He is a member of the Socialist Workers Party and has criticized the U.S. military campaign in Afghanistan. The nonprofit has a government contract to make American flags. "Goodwill will not allow anyone to bring dishonor to such an important symbol," says the charity's CEO.

California's Orchard School District spends $79,856 for a BMW 740iL, giving the keys to its superintendent as a reward for higher student test scores. The district overshot its current budget by $2 million, and roughly 30 percent of its charges live below the poverty line.

Attorney General John Ashcroft overwrites the Freedom of Information Act. Government agencies should withhold info and let the DOJ fight any challenge in court, he says. Janet Reno's crew, itself plenty secretive, had held that agencies should disclose info unless it was "reasonably foreseeable that disclosure would be harmful."

Shoe designer Manolo Blahnik nixes a pair of stiletto pumps from his latest collection. He worried that airport security would consider the 3.5-inch titanium heels to be weapons. Given that books and cameras now trigger interrogations and flight bans, killer heels are not that much of a stretch.

California's adventure in electricity purchases hits a new low. The state has gone from losing money on power contracts to simply giving it to utilities— or even paying them to take it. The Los Angeles Department of Water and Power charged the state about $33,000 to take a 2,175 megawatt-hour surplus. Overall, the state lost $26 million in 90 days of power trading.

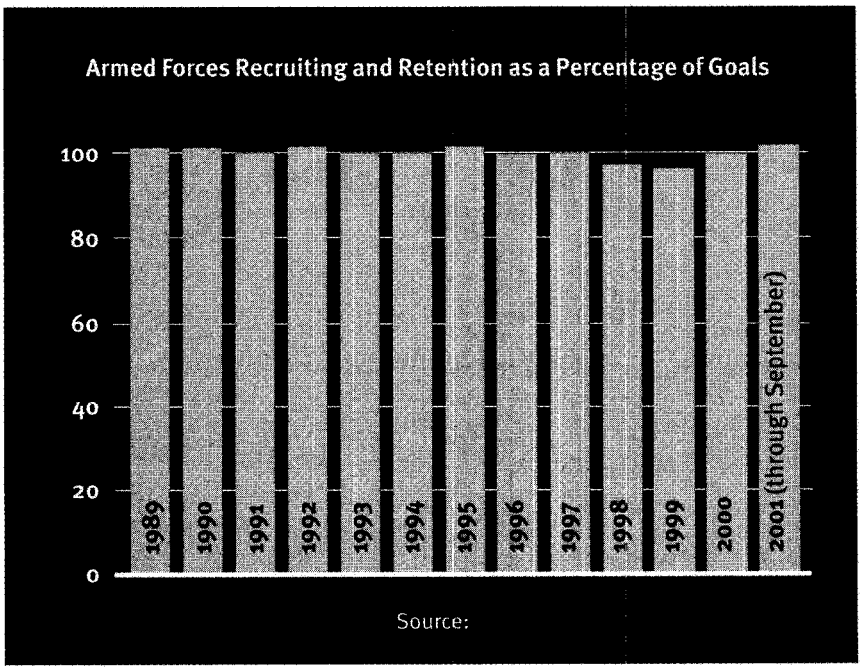
Army of More Than One

Michael W. Lynch

After the September 11 attacks, rocker-actress Courtney Love inquired about joining the Marines, according to *The New York Observer*. She wasn't alone. U.S. military officials report a doubling of recruiting contacts since September 11, including inquiries by e-mail, the Web, and phone, as well as walk-ins. On college campuses, long-declining ROTC programs are gaining popularity, reports *The Boston Globe*.

It's too early to tell if any of those hitting Web sites will ever hit basic training, or even visit recruitment centers, some of which report no increased interest.

Recruiters report that many who inquire, like the 37-year-old Love, are too old to enlist. Criminal records or poor test scores may disqualify others. And those eager to take a shot at trimming Osama bin Laden's beard may be discouraged by the year it takes to get trained and deployed in today's high-tech military. For now, at least, military brass are not worried. By September 30, the armed forces—reputed in some quarters to be atrophying—had already achieved recruiting and retention goals for fiscal year 2001, a goal it's met in all but two of the past 13 years.



aside that the more positive reviews were posted by the instructors themselves.

The upshot was that Warner may face "a class action lawsuit ...if these comments are not removed immediately." Clahane added that "you can insist that your freedom of speech should not be infringed upon, but these instructors, including me, will assert that you are infringing on our academic freedom, the right to teach our classes in our best professional judgment."

To date, the threatened suit has not been filed, though other school-centered sites have faced similar attacks. In the most famous case, two professors at City College of San Francisco filed a defamation suit against teacherreviews.com last year. The site—filled, like whototake.com, with often nasty, often anonymous descriptions of professors and classes—had included some homophobic comments about one of the plaintiffs. Upon deciding that they probably wouldn't prevail in court, the duo dropped the suit, agreeing to pay the webmaster $10,000 as well.

More recently—and more bleakly, at least for those who support unfettered cyberspeech—a magistrate has ordered a Web hosting company to reveal the anonymous parties responsible for truthatulm.homestead.com, a muckraking thorn in the side of the University of Louisiana at Monroe. Once the webmasters' names are made public, ULM administrator Richard Baxter intends to file a defamation suit against them.

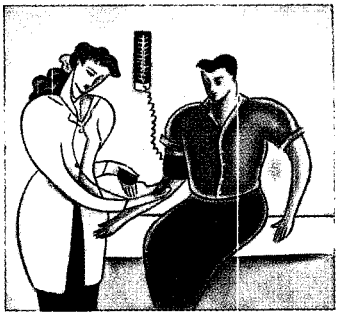
No insurance, no health care?

Staying Well

Brian Doherty

IT'S LONG BEEN assumed that the 44.2 million Americans who don't have health insurance aren't getting health care. A recent study from the National Bureau of Economic Research casts doubt on this correlation, at least among those who are self-employed.

Princeton economists Craig William Perry and Harvey S. Rosen looked at a sample of 9,552 people, of whom 1,158 (12 percent) were self-employed. In their sample, only 68 percent of the self-employed were insured,



compared to 81 percent of the wage-earners. Despite that difference in insurance, they found little significant difference in actual health care use between the two groups.

Contrary to the assumption that no insurance equals no health care use, there was no significant difference between the self-employed and wage-earners when it came to many measures: hospital admissions and stays, cholesterol exams, dental check-ups, and mammograms. In the few areas where there was a statistically significant difference in health care use, it was small. The self-employed, for instance, were 6 percent less likely to visit a doctor. Even after controlling for other variables that might affect people's propensity to use health care—such as age, education, or ethnicity—similar results held.

For those concerned, as ever, about "the children," Perry and Rosen also found that "the children of the self-employed are about as likely to visit the doctor or be admitted to the hospital as the children of wage-earners."

They conclude, "Public policy concerns that the relative lack of health insurance among the self-employed substantially reduces utilization of health care services or creates economic hardship appear to be misplaced." ◻

Beneficial Bankruptcy

Sara Rimensnyder

David Skeel

As U.S. businesses struggle to rebuild after the tragic events of September 11, Washington, D.C., is auditioning for the role of economic savior. So far, Congress has responded by giving the airline industry, which was acutely and immediately affected by the terrorist attacks, a massive $15 billion bailout.

Legislators would do well to listen to University of Pennsylvania Law Professor David Skeel, who has just published *Debt's Dominion: A History of Bankruptcy Law in America* (Princeton). His book describes how American populism helped create a body of bankruptcy law that's unique in the world. U.S. law gives the debtor the benefit of the doubt—including the opportunity to conduct business as usual until he either restructures his way to solvency or decides to truly pack it in. This "fresh-start" approach, argues Skeel, makes American companies ideally prepared to withstand crisis—without taxpayers' billions. Assistant Editor Sara Rimensnyder spoke with Skeel by telephone in October.

Q: Your book explains that U.S. bankruptcy laws were forged in disaster. How?

A: Bankruptcy laws originated in the 19th century, when a series of devastating financial panics caused many railroads to fail. Everyone agreed they had to be saved, but Constitutional limitations made it impossible for lawmakers to step in. Judges came to the rescue by devising a procedure for reorganizing troubled corporations.

Q: How will the "fresh-start" aspect of U.S. bankruptcy law help companies weather the economic fall-out of September 11?

A: Our system is designed to give companies a second chance. Its reorganization-based approach is precisely what you want in a catastrophe, where businesses are failing for reasons perhaps unrelated to their underlying viability.

Q: Using the airlines as an example, what's better for the consumer: bailout or bankruptcy?

A: Bankruptcy is much better from everyone's point of view. Bankruptcy sorts out the firms, so that the ones that ought to fail will eventually fail. A bailout tends to be quite indiscriminate. You end up trying to save *all* the airlines, even those that would have failed without Sept. 11. Bailouts just don't work as effectively as having the parties with a direct stake making the decision about whether to keep the company going.

Q: As this goes to press, an insurance industry bailout appears likely. Is that justified?

A: My initial instincts are against it, but it's more complicated. The insurance plan isn't really a bailout, since the goal is to encourage insurers to write insurance for possible terrorist actions. They might otherwise simply refuse. Insurance arguably undergirds everything else. Businesses depend on their ability to insure against possible risks. Still, I worry about the effects of having the government run an industry.

Sowing hemp hysteria

Seeds of Discord

Jacob Sullum

IT TURNS OUT that the hand cream you bought at The Body Shop last year was a controlled substance. But it's not anymore. Probably.

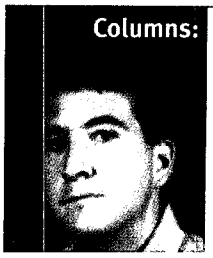
This is the upshot of two rules the Drug Enforcement Administration unveiled in October. The first announced that all products containing the slightest trace of THC, marijuana's main active ingredient, are prohibited substances. This came as a surprise to the dozens of companies that for years have sold products made from cannabis fiber, seeds, or oil. Such hemp products, which include clothing, snacks, nutritional supplements, toiletries, and bird food, may contain tiny amounts of THC, but not enough to get anyone high.

The second DEA rule exempted inedible THC-tainted hemp products from the ban, provided that "using them does not cause THC to enter the human body." The DEA is pretty sure that "personal care 'hemp' products" such as hand cream, soap, and shampoo qualify for the exemption, although it is "unaware of any scientific evidence definitively answering this question."

But edible hemp products—including dietary supplements, pasta, tortilla chips, candy bars, salad dressings, cheese, and beer—are in the same legal category as heroin. According to the DEA, they have been since 1970. It's just that no one realized it until now.

The new rules apparently stem from concerns that hemp products could interfere with drug testing. In 1997 the *Journal of Analytical Toxicology* published two reports of studies finding that people who do not smoke pot but consume hemp seed oil can test positive for marijuana. A few months later, an Air Force sergeant who used the oil as a dietary supplement was acquitted of marijuana charges. In 1999 the Air Force ordered its personnel to stay away from the stuff. "Such applications for human consumption are confounding our Federal drug control testing program," then-drug czar Barry McCaffrey complained in a 2000 letter to U.S. Rep. Patsy Mink (D-Hawaii).

Laura Shelton, executive director of the Drug and Alcohol Testing Industry Association, says her group did not lobby for the ban, although she concedes that "it will make it easier for our members who have come across this situation." The American Association of Medical Review Officers, which represents drug testing specialists, has been warning for years that government-mandated urinalysis could be overturned on constitutional grounds because hemp products make the results unreliable. "Products that cause a positive THC urinalysis must be removed from commerce," said a 1997 editorial in the organization's journal, "or we will be forced by the courts to stop testing for marijuana." ◻



Hear Dick Talk, Occasionally

Why Cheney is the Bush administration's best propagandist.

ONE UNUSUAL ASPECT of the war on terrorism is that its most effective propaganda—on both sides—has come from elusive leaders holed up in secret locations. They surface just long enough to let everyone know they are still alive, still fuming, and still dedicated to the cause.

Osama bin Laden, for example, is said to be hiding in a cave in Afghanistan. In his few public statements, taped and faxed, he has charted out his goals and tried to rally his followers. To be sure, you have to be one of those fanatics to judge bin Laden's effectiveness, but his presentations are certainly easier to take than the screaming rants of his substitute spokesmen. Bin Laden may or may not be media savvy, but I like to think that his is the best impersonation of Dick Cheney this side of *Saturday Night Live.*

Cheney is, of course, the other warrior who famously sleeps at undisclosed locations. One of wartime Washington's favorite pastimes is trading rumors about the elusive vice president. Where is he? What is he really doing? Have his four heart attacks, cardiac implant, and stress over the war finally caught up with him?

But just as he's written off as dead, Cheney sud-denly surfaces and says more in a handful of public appearances than the rest of the administration has said in weeks of babble. If it's answers you want, Cheney's your man. Sure, those answers are often painfully vague, but at least they're short. He makes you wish that some of the administration's other information-mongers would find hideouts of their own. At a minimum, there would be less confusion.

Take the question of Saddam Hussein. President Bush told the world that countries were either "with us or with the terrorists." But what did that mean for countries, such as Iraq, that were already not with us? A grumpy Washington coalition quickly coalesced around *The Weekly Standard*'s Bill Kristol, who can't believe that the mother of all humiliated regimes isn't in the crosshairs yet. The frustrated Kristol summed up that school of thought in an October 30 *Washington Post* op-ed: "No ground troops in Afghanistan; No confrontation with Iraq; No alarm at home. The result? No evident progress so far."

There were early reports that one of the hijackers met with a high-ranking Iraqi official prior to September 11. The plot thickened with the anthrax debacle. Health and Human Services Secretary Tommy Thompson explained that a Florida tabloid employee got the disease from a contaminated stream. Later, Senate Majority Leader Tom Daschle (D-S.D.) said the strain infecting his office was especially potent, fueling suspicions that a sophisticated, state-sponsored operation (read: Iraq) must be behind the attack. The next day, a health official called the same anthrax sample "garden variety." More press leaks indicated that the anthrax was supercharged with a special chemical process developed in Iraq. The administration denied it.

Compare this cacophony with Cheney's Septem-ber 16 one-on-one with Tim Russert on *Meet the Press.* Russert: "Would we have any reluctance of going after Saddam Hussein?" Cheney: "No." Soon thereafter, Russert asked, "Do we have any evidence linking Saddam Hussein or Iraqis to this operation?" Cheney: "No." His responses weren't any more illuminating, but they weren't confusing. A gaggle of government officials spent two months hinting that we'll blast Baghdad in a minute, but only if we get enough proof to persuade our tenuous international coalition. Cheney said the same thing in two words.

A similar mess has arisen around the stupid question, "How long will the war last?" Since

such honest answers as "Who the hell knows?" wouldn't play well on TV, officials have been forced to hedge. The results speak for themselves. On October 17, after an interview with the director of operations for the Joint Chiefs of Staff, a *Washington Post* headline read, "Pentagon: Taliban Forces 'Eviscerated'; Key City Vulnerable to Alliance Takeover." One week later, with "key cities" still firmly in the Taliban's control, *USA Today* resorted to a bit of creative paraphrasing to lead with the screamer, "Rumsfeld: Bin Laden may get away." Whoa.

Re-enter Cheney. On October 18 he surfaced briefly to address the 56th Annual Alfred E. Smith Memorial Foundation Dinner at New York's Waldorf-Astoria, where he managed to make "Who the hell knows?" sound inspiring. "Americans reasonably wonder, 'How long will it last?'" Cheney said. "The answer is that many of these changes we've made are permanent, at least in the lifetime of most of us. Vigilance against the new threat is not just a temporary precaution, it's a responsibility we all share." Exactly which changes are permanent? What does "lifetime" mean coming from a man with Cheney's shaky health record? These questions require predictions, and the elusive Cheney wasn't about to offer any. It was back to the secret hideaway before anyone could ask.

Yet another sticking point surrounds Attorney General John Ashcroft's decisions to issue warnings about "vague but credible" terrorism threats on October 11 and again on October 29. The administration is struggling to balance the nation's frazzled nerves against the need to say something about what it thinks it knows about terrorist threats. Ashcroft, homeland security chief Tom Ridge, White House spokesman Ari Fleischer, and company are vulnerable to the accusation that they are covering the administration's ass in their press briefings. Not Cheney. In a lengthy Bob Woodward cover piece in the October 21 *Washington Post*, the veep spoke plainly. "You have to avoid falling into the trap of letting it be a cover-your-ass exercise," he said, while stressing that decisions about whether or not to share threat information with the public would always be "tough calls."

Bin Laden may or may not be media savvy, but I like to think that his is the best impersonation of Dick Cheney this side of *Saturday Night Live.*

Is there a trend here? Yes: If you want to know the latest administration position, you can either stay glued to cable and glean what little you can from the cacophony, or you can tune in once a week to get the latest from Dick Cheney. Neither option tells you all that much, but the latter is a lot more efficient. The well-spaced Cheney sightings seem calculated to provide more than a few simple answers, however. While peppered with plenty of patriotic rhetoric, Cheney's campaign also serves to stamp out stubborn rumors about his health. To battle them, Cheney not only appears—he shows up in good spirits.

On October 17, for example, Cheney delivered a tribute to Supreme Court Justice Clarence Thomas at a posh awards banquet in downtown Washington. Staying just long enough to make his speech, the vice president lightened the mood by starting out in jester mode: "I'm just passing through this evening," he said with a wink and a nod. "I am going back to my, uh, *undisclosed...*" He was immediately drowned out with laughter, during which he referenced his recent roasting on *Saturday Night Live.* (The show speculated that the veep was really holed up in a cave in Afghanistan.) Cheney continued the act the following night at the Alfred E. Smith dinner. "It's nice, for a change, to be at a disclosed location," he said, adding, "the Waldorf is a lot nicer than our cave" and "I did not sneak out for cosmetic surgery, although I'm not prepared to rule that out as an option."

Part of Cheney's informational function is to relax a tense public even as he restates administration positions succinctly. Compare his performances to the dodge-and-weave Pentagon briefings, to the sometimes hectoring White House news conferences, to the muddled mess that the public health team has left behind. It might be Washington heresy, but sometimes less is more.

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The Feminist West

Acute schizophrenia, left and right

WITH ISLAMIC FUNDAMENTALISTS making war on the West, the left's schizoid relationship to feminism and multiculturalism has come into full view. If one regards respect for women's rights as good, it's very difficult to maintain the notion that all cultures are morally equal, considering that the United States is at war with what may be, in the words of *The Village Voice*, "the most misogynistic regime in history." Compared to Afghanistan under the Taliban, where women are forbidden to work or learn and have been subjected to an especially draconian dress code, the Ayatollah's Iran is a feminist utopia. (Indeed, the Taliban's treatment of women has been so horrendous as to obscure its very real atrocities against large numbers of men.) Of course, the U.S. did not go to war in Afghanistan to liberate the women. Still, one might assume that there would be little if any doubt as to where feminist sympathies would lie.

In some cases, however, the assumption would be wrong. At a conference in Canada in October, in a speech denouncing the West and the U.S. as the world's greatest source of evil, Prof. Sunera Thobani of the University of British Columbia dismissed "this talk about saving Afghani women," adding, "Those of us who have been colonized know what this saving means." Indeed, she asserted, "There will be no emancipation for women anywhere...until the Western domination of this planet is ended."

The Tanzanian-born Thobani isn't a lone kook. She is a former head of Canada's National Action Committee on the Status of Women, and she delivered her rant at a large feminist conference that was mainstream enough to be attended by Canada's secretary of state for the status of women, Hedy Fry. Thobani received several standing ovations.

To be fair, Thobani's comments, which represent an almost perfect inversion of reality—feminism is a phenomenon of unquestionably Western origin, and gains in women's status in other parts of the world have been largely due to Western influence—are hardly typical of feminist attitudes. Women's groups in North America and Europe have done admirable work publicizing the oppression of women under the Taliban.

Still, even the more rational feminist left can't be entirely comfortable siding with the Western powers, particularly against enemies who are seen as the wretched of the earth. For that matter, it can't bring itself to admit that the West holds the moral high ground on anything, including women's issues. Few feminists would endorse the statement made by British parliamentarian and magazine editor Boris Johnson: "It is time for concerted cultural imperialism. They are wrong about women. We are right." Such bluntness still seems politically incorrect.

And so many feminists dance, none too gracefully, around the contradiction. In an article in the *Voice* discussing the dilemma of feminists torn between opposition to war and loathing of the Taliban, Sharon Lerner portrays the outcry at Thobani's speech as an example of an uppity woman being punished for dissent—but never mentions Thobani's bizarre views of women's rights. Lerner also sneers that with all this talk of the Muslim world's oppressed women, "many Americans are feeling somewhat smug about our heroic, enlightened men," yet "the power structure [in the U.S.] remains overwhelmingly male."

This is a familiar argument. In 1995, a number of people criticized the decision to hold the United Nations' Women's Conference in Beijing, given China's dismal record on women's

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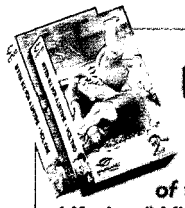

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and human rights. *Time* essayist Barbara Ehrenreich sarcastically asked whether the U.S. would have been a better selection, considering that "abortion rights are under violent assault," "affirmative action looks to be doomed," and few congressional seats are held by women. (Ehrenreich's response to September 11 was to lament in a *Village Voice* symposium, "What is so heartbreaking to me as a feminist is that the strongest response to corporate globalization and U.S. military domination is based on such a violent and misogynist ideology.")

Others fall back on clichés of female nonviolence. Deploring the dominance of "rich, white, able-bodied, and apparently straight men" in the national discourse, Patricia Ireland, the outgoing president of the National Organization for Women, says that women's voices are needed as an alternative to "guy talk." To her, "guy talk" means such comments as "Osama bin Laden, wanted dead or alive," or "speaking in black and white of good and evil." Never mind that polls show an overwhelming majority of women as well as men supporting the military action.

Of course, it is true that when it comes to women's issues, the sides in the current conflict cannot be divided neatly into good and bad guys. Feminists have a point when they note that our current allies include some countries whose restrictions on women's lives are only slightly less extreme than the Taliban's (Saudi Arabia, for one) and groups with a sorry record of abuses against women, such as Afghanistan's Northern Alliance. Nevertheless, one might at least expect them to agree with Boris Johnson that there's something to be said for Western cultural influence.

On the other side of the political spectrum, conservatives find themselves in the position of lauding feminism as a hallmark of Western superiority. It's a milder contradiction, since even hardcore cultural conservatives in America aren't advocating anything close to the Muslim version of traditional roles. But the tension occasionally shows, though not as starkly as in the Jerry Falwell/Pat Robertson line that the September 11 attacks were a sign of God's anger at feminists, abortionists, and gays. Syndicated columnist Maggie Gallagher has opined that the likely reason the hijackers could live in the U.S. and continue to hate us is the ugliness of "our sexual culture." However brutal Islamic family norms may be to women, wrote Gallagher, "the family system itself works."

A more prominent leitmotif in the conservative press is that the attack on America has ushered in a new era of manly men—the firemen and cops who emerged as the heroes of the World Trade Center, the three male passengers of United Airlines Flight 93 who apparently foiled the hijackers' plan to use the plane as a missile. "I missed John Wayne. But now I think...he's back," gushed Peggy Noonan in *The Wall Street Journal*.

After years of male-bashing, it is good to see some appreciation for male heroism, and even for the fact that traditional machismo always included more than brute force—that physical strength and courage could be deployed toward the "nurturing" goals of protection and rescue. At the same time, one gets the sense that Noonan and others would have been almost disappointed if the heroes of Flight 93 had included a woman. (A flight attendant reportedly told her husband on a cell phone that she and her co-workers were considering throwing boiling water at the hijackers.)

In any event, the cultural messages that emerge from the current crisis are likely to be much too complex to be marshaled into the cause of gender nostalgia. Yes, heroism is back in vogue. Yet the military action in Afghanistan is taking place at a time when there are more women in the military, and at the highest levels of government, than during any other previous American war, from Condoleeza Rice to the women flying combat missions over Afghanistan.

But perhaps there is another gender-related message to be gleaned from the attack on America. However much we would like to regard women's liberation as a natural right, it is the product and achievement of a complex, advanced civilization. Recent events remind us that this civilization is fragile, and that its enemies are hostile to freedom for anyone—but especially women. Feminists, perhaps more than anyone else, should realize that the West is worth defending.

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Trivial Pursuits

In defense of the unnamable '90s

AS THE 1990S RECEDE further into history and seeming irrelevance to our terrifying new world of suicide bombers, anthrax scares, flat-lining stocks, and comebacks by Michael Jackson and Garth Brooks, perhaps the oddest thing about the past decade remains its inability to generate a pithy, generally agreed-upon descriptor. Such sobriquets needn't be particularly accurate nor comprehensive to stick: Rightly or wrongly, we all remember the '80s as the Decade of Greed and the '70s as The Me Decade.

Despite an unprecedented economic boom and countless media spectacles downloaded directly from the libido of Geraldo Rivera (best remembered in this context as the author of the 1991 kiss-and-tell autobiography, *Exposing Myself*), the '90s somehow turned out to be every bit as unnamable as a Sam Beckett novel—and twice as difficult to figure out.

Yet post 9/11, as *Slate*'s Jacob Weisberg has observed, a new consensus is forming that the '90s were not simply unworthy of a clever catchall term, but downright contemptible. Forget that the Cold War ended, that everyone got richer in the '90s, that divorce leveled off, that crime fell, and that illegitimate births dropped. "In a matter of days" after the attacks, wrote Weisberg, "a cultural cliché was born. We had traded in a decade of triviality for an era of profundity."

The important thing to take away from the murder of 5,000 innocents, wrote *The New York Times'* Frank Rich, was that the attacks "awakened us from a frivolous if not decadent decade-long dream." Rich's colleague in banality at the *Times*, Maureen Dowd, gratefully waved goodbye to the "pampered, narcissistic culture" of the previous decade (a culture, it's worth noting, that awarded Dowd a 1999 Pulitzer Prize for her "fresh and insightful columns on the impact of President Clinton's affair with Monica Lewinsky").

On the conservative end of the political spectrum, *The Weekly Standard*'s David Brooks—who made a name for himself by chronicling the emergence during the '90s of "bourgeois bohemians"—sniffed that "the top sitcom [of the previous decade] was *Seinfeld*, a show about nothing." Summed up Weisberg, "Though Brooks disdains Dowd and Rich, he seems to share their gratitude that American life has finally gotten serious again."

Such high-minded scorn for the '90s and the general affluence and calm they represented is an eminently understandable sentiment. War, suffering, and privation are the greatest human narratives, readily embraced, especially by those who can bear witness to them at a safe remove.

Does anyone doubt that NBC's Tom Brokaw, who has made millions by recounting from a penthouse the ordeals of the "greatest generation," wasn't overjoyed when his assistant tested positive for anthrax? Or that Peter Jennings, Dan Rather, and every other newshound who ever donned a safari jacket and filed reports from an overseas hotel bar weren't sick with jealousy?

In such moments, I think of my deceased parents, who closed out their lives in the decade that now is being recast as beneath contempt. Both were born poor in the '20s and were actual veterans of the Great Depression and World War II (by Brokaw's lights, my father was triply blessed in that he actually got shot by the Germans during the war).

For my folks, the '90s represented the great payoff, the long-delayed delivery of what they took to be the American Dream: a time when poverty had largely disappeared, people got along relatively well, and the news was filled mostly with tales of stock surges, celebrity scandals, and sexually penitent pols.

Every once in a while, they would start to fondly recall their earlier days—the charity food and clothing they received, the youth spent on the front lines of Europe—and pull up short, laughing at their willingness to romanticize hardships they wouldn't wish on their worst enemies.

Especially when conflict is necessary and justified, it's worth remembering that war will always beat peace as a headline. And that, at our best, we fight wars for only one reason: to enjoy decades like the '90s.

Nick Gillespie (gillespie@reason.com) is **reason***'s editor-in-chief.*

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!
OH NO, HERE WE GO AGAIN...
... 45 YEARS AFTER BROWN VS. THE BOARD OF EDUCATION, SEGREGATION STILL EXISTS...
AND WE'RE AS GUILTY OF IT AS ANYONE! JUST LOOK AROUND YOU!
BUT, WE—
DON'T TRY TO DENY IT! WE'RE ALL COMPLICIT IN THIS!
"PEOPLE OF OTHER CULTURES"?!
IT'S OUR EURO-CENTRIC ATTITUDES THAT'S INHIBITING PEOPLE OF OTHER CULTURES FROM EVEN WANTING TO ATTEND OUR SCHOOL...
AND THAT HAS TO BE CHANGED NOW!
LATER...
I'M CURIOUS, MR. GOODWILL...
IF "DIVERSITY" IS SO IMPORTANT TO YOU, WHY DID YOU CHOOSE TO MOVE TO AN OVERWHELMINGLY WHITE COMMUNITY?
WHY DIDN'T YOU MOVE TO THE SOUTH END OF TOWN?
THE SOUTH END? ARE YOU KIDDING?
DO YOU KNOW WHAT THE CRIME RATE IS DOWN THERE?
NOT TO MENTION THE LOW RE-SALE VALUES...
PLUS THE SCHOOLS DOWN THERE HAVE VERY POOR ACADEMIC RATINGS...

Why the rap against Ecstasy has a familiar ring to it

Jacob Sullum

LAST SPRING, THE Chicago City Council decided "to crack down on wild rave parties that lure youngsters into environments loaded with dangerous club drugs, underage drinking and sometimes predatory sexual behavior," as the *Chicago Tribune* put it. The newspaper described raves as "one-night-only parties...often held in warehouses or secret locations where people pay to dance, do drugs, play loud music, and engage in random sex acts." Taking a dim view of such goings-on, the city council passed an ordinance threatening to jail building owners or managers who allowed raves to be held on their property. Mayor Richard Daley took the occasion to "lash out at the people who produce the huge rogue dance parties where Ecstasy and other designer drugs are widely used." In Daley's view, rave promoters were deliberately seducing the innocent. "They are after all of our children," he warned. "Parents should be outraged by this."

The reaction against raves reflects familiar anxieties about what the kids are up to, especially when it comes to sex. As the chemical symbol of raves, MDMA—a.k.a. Ecstasy—has come to represent sexual abandon and, partly through association with other "club drugs," sexual assault. These are not the only fears raised by MDMA. The drug, whose full name is methylenedioxymethamphetamine, has also been accused of causing brain damage and of leading people astray with ersatz feelings of empathy and euphoria (concerns discussed later in this article). But the sexual angle is interesting because it has little to do with the drug's actual properties, a situation for which there is considerable precedent in the history of reputed aphrodisiacs.

A relative of both amphetamine and mescaline, MDMA is often described as a stimulant with psychedelic qualities. But its effects are primarily emotional, without the perceptual changes caused by LSD. Although MDMA was first synthesized by the German drug company Merck in 1912, it did not gain a following until the 1970s, when the psychonautical chemist Alexander Shulgin, a Dow researcher turned independent consultant, tried some at the suggestion of a graduate student he was helping a friend supervise. "It was not a psychedelic in the visual or interpretive sense," he later wrote, "but the lightness and warmth of the psychedelic was present

and quite remarkable." MDMA created a "window," he decided. "It enabled me to see out, and to see my own insides, without distortions or reservations."

After observing some striking examples of people who claimed to have overcome serious personal problems (including a severe stutter and oppressive guilt) with the help of MDMA, Shulgin introduced the drug to a psychologist he knew who had already used psychedelics as an aid to therapy. "Adam," the pseudonym that Shulgin gave him (also a nickname for the drug), was on the verge of retiring, but was so impressed by MDMA's effects that he decided to continue working. He shared his techniques with other psychologists and psychiatrists, and under his influence thousands of people reportedly used the drug to enhance communication and self-insight. "It seemed to dissolve fear for a few hours," says a psychiatrist who tried MDMA in the early '80s. "I thought it would have been very useful for working with people with trauma disorders." Shulgin concedes that there was "a hint of snake-oil" in MDMA's reputed versatility, but he himself considered it "an incredible tool." He quotes one psychiatrist as saying, "MDMA is penicillin for the soul, and you don't give up penicillin, once you've seen what it can do."

Shulgin did not see MDMA exclusively as a psychotherapeutic tool. He also referred to it as "my low-calorie martini," a way of loosening up and relating more easily to others at social gatherings. This aspect of the drug came to the fore in the '80s, when MDMA became popular among nightclubbers in Texas, where it was marketed as a party drug under the name *Ecstasy*. The open recreational use of Ecstasy at clubs in Dallas and Austin brought down the wrath of the Drug Enforcement Administration, which decided to put MDMA in the same legal category as heroin. Researchers who emphasized the drug's psychotherapeutic potential opposed the ban. "We had no idea psychiatrists were using it," a DEA pharmacologist told *Newsweek* in 1985. Nor did they care: Despite an administrative law judge's recommendation that doctors be allowed to prescribe the drug, the ban on MDMA took effect the following year.

Thus MDMA followed the same pattern as LSD, moving from discreet psychotherapeutic use to the sort of conspicuous consumption that was bound to provoke a government reaction. Like LSD, it became illegal because too many people started to enjoy it. Although the DEA probably would have sought to ban any newly popular intoxicant, the name change certainly didn't help. In *Ecstasy: The MDMA Story*, Bruce Eisner quotes a distributor who claimed to have originated the name *Ecstasy*. He said he picked it "because it would sell better than calling it 'Empathy.' 'Empathy' would be more appropriate, but how many people know what it means?" In its traditional sense, *ecstasy* has a spiritual connotation, but in common usage it simply means intense pleasure—often the kind associated with sex. As David Smith, director of the Haight-Ashbury Free Clinic, observed, the name "suggested that it made sex better." Some marketers have been more explicit: A 1999 article in the *Journal of Toxicology* (headlined "SEX on the Streets of Cincinnati") reported an analysis of "unknown tablets imprinted with 'SEX' " that turned out to contain MDMA.

Hyperbolic comments by some users have reinforced Ecstasy's sexual connotations. "One enthusiast described the feeling as a six-hour orgasm!" exclaimed the author of a 2000 op-ed piece in Malaysia's *New Straits Times*, picking up a phrase quoted in *Time* a couple of months before. A column in *The Toronto Sun*, meanwhile, stated matter-of-factly that MDMA "can even make you feel like a six-hour orgasm." If simply taking MDMA makes you feel that way, readers might reasonably conclude, MDMA-enhanced sex must be indescribably good.

Another reason MDMA came to be associated with sex is its reputation as a "hug drug" that breaks down emotional barriers and brings out feelings of affection. The warmth and candor of people who've taken MDMA may be interpreted as flirtatiousness. More generally, MDMA is said to remove fear, which is one reason psychotherapists have found it so useful. The same effect could also be described as a loss of inhibitions, often a precursor to sexual liaisons. Finally, users report enhanced pleasure from physical sensations, especially the sense of touch. They often trade hugs, caresses, and back rubs.

Yet the consensus among users seems to be that MDMA's effects are more sensual than sexual. According to a therapist quoted by Jerome Beck and Marsha Rosenbaum in their book *Pursuit of Ecstasy*, "MDMA and sex do not go very well together. For most people, MDMA turns off the ability to function as a lover, to put it indelicately. It's called the love drug because it opens up the capacity to feel loving

and affectionate and trusting." At the same time, however, it makes the "focusing of the body and the psychic energy necessary to achieve orgasm...very difficult. And most men find it impossible....So it is a love drug but not a sex drug for most people."

Although this distinction is widely reported by users, press coverage has tended to perpetuate the connection between MDMA and sex. In 1985 *Newsweek* said the drug "is considered an aphrodisiac," while *Maclean's* played up one user's claim of "very good sexual possibilities." *Life* also cited "the drug's reputation for good sex," even while noting that it "blocks male ejaculation." More recently, a 2000 story about MDMA in *Time* began by describing "a classic Southeast Asian den of iniquity" where prostitutes used Ecstasy so they could be "friendly and outgoing." It warned that "because users feel empathetic, ecstasy can lower sexual inhibitions. Men generally cannot get erections when high on e, but they are often ferociously randy when its effects begin to fade." The story cited a correlation between MDMA use and "unprotected sex." A cautionary article in *Cosmopolitan* began with the account of "a 28-year-old lawyer from Los Angeles" who brought home a man with whom she felt "deeply connected" under the influence of MDMA. "We would have had sex, but he couldn't get an erection," she reported. "The next day, I was horrified that I had let a guy I couldn't even stand into my bed!"

Rape Drugs

MDMA has been linked not just to regrettable sexual encounters but to rapes in which drugs are used as weapons. The connection is usually made indirectly, by way of other drugs whose effects are quite different but which are also popular at raves and dance clubs. In particular, the depressants GHB and Rohypnol have acquired reputations as "date rape drugs," used to incapacitate victims to whom they are given surreptitiously. Needless to say, this is not the main use for these substances, which people generally take on purpose because they like their effects. It's not clear exactly how often rapists use GHB or Rohypnol, but such cases are surely much rarer than the hysterical reaction from the press and Congress (which passed a Date Rape Drug Prohibition Act last year) would lead one to believe. The public has nonetheless come to view these intoxicants primarily as instruments of assault, an impression that has affected the image of other "club drugs," especially MDMA.

Grouping MDMA with GHB and Rohypnol, a 2000 Knight Ridder story warned that the dangers of "club drugs" include "vulnerability to sexual assault." Similarly, the *Chicago Tribune* cited Ecstasy as the most popular "club drug" before referring to "women who suspect they were raped after they used or were slipped a club drug." In a *Columbus Dispatch* op-ed piece, pediatrician Peter D. Rogers further obscured the distinction between MDMA and the so-called rape drugs by saying that "Ecstasy...comes in three forms," including "GHB, also called liquid Ecstasy," and "Herbal Ecstasy, also known as ma huang or ephedra" (a legal stimulant), as well as "MDMA, or chemical Ecstasy." He asserted, without citing a source, that "so-called Ecstasy"—it's not clear which one he meant—"has been implicated nationally in the sexual assaults of approximately 5,000 teen-age and young adult women." Rogers described a 16-year-old patient who "took Ecstasy and was raped twice. She told me that she remembers the rapes but, high on the drug, was powerless to stop them. She couldn't even scream, let alone fight back." If Rogers, identified as a member of the American Academy of Pediatrics' Committee on

The closest thing we have to a genuine aphrodisiac—increasing interest, ability, and enjoyment—is Viagra, the avowed purpose of which is to enable people to have more and better sex.

Substance Abuse, had trouble keeping the "club drugs" straight, it's not surprising that the general public saw little difference between giving a date MDMA and slipping her a mickey.

As the alleged connections between MDMA and sex illustrate, the concept of an aphrodisiac is complex and ambiguous. A drug could be considered an aphrodisiac because it reduces resistance, because it increases interest, because it improves ability, or because it enhances enjoyment. A particular drug could be effective for one or two of these purposes but useless (or worse) for the others. Shakespeare observed that alcohol "provokes the desire, but it takes away the performance." Something similar seems to be true of MDMA, except that the desire is more emotional than sexual, a sense of closeness that may find expression in sex that is apt to be aborted because of difficulty in getting an erection or reaching orgasm. Also like alcohol, MDMA is blamed for causing people to act against their considered judgment. The concern is not just that people might have casual sex but that they might regret it afterward.

Surely this concern is not entirely misplaced. As the old saw has it, "Candy is dandy, but liquor is quicker." When drinking precedes sex, there may be a fine line between seducing someone and taking advantage, between lowering inhibitions and impairing judgment. But the possibility of crossing that line does not mean that alcohol is nothing but a trick employed by cads. Nor does the possibility of using alcohol to render someone incapable of resistance condemn it as a tool of rapists.

The closest thing we have to a genuine aphrodisiac—increasing interest, ability, and enjoyment—is Viagra, the avowed purpose of which is to enable people to have more and better sex. Instead of being deplored as an aid to hedonism, it is widely praised for increasing the net sum of human happiness. Instead of being sold on the sly in dark nightclubs, it's pitched on television by a former Senate majority leader. The difference seems to be that Viagra is viewed as a legitimate medicine, approved by the government and prescribed by doctors.

But as Joann Ellison Rodgers, author of *Drugs and Sexual Behavior,* observes, "there is great unease with the idea of encouraging sexual prowess....At the very least, drugs in the service of sex do seem to subvert or at least trivialize important aspects of sexual experiences, such as love, romance, commitment, trust and health." If we've managed to accept Viagra and (to a lesser extent) alcohol as aphrodisiacs, it may be only because we've projected their darker possibilities onto other substances, of which the "club drugs" are just the latest examples.

Signal of Misunderstanding

The current worries about raves in some ways resemble the fears once symbolized by the opium den. The country's first anti-opium laws, passed by Western states in the late 19th century, were motivated largely by hostility toward the low-cost Chinese laborers who competed for work with native whites. Supporters of such legislation, together with a sensationalist press, popularized the image of the sinister Chinaman who lured white women into his opium den, turning them into concubines, prostitutes, or sex slaves. Although users generally find that opiates dampen their sex drive, "it was commonly reported that opium smoking aroused sexual desire," writes historian David Courtwright, "and that some shameless smokers persuaded 'innocent girls to smoke in order to excite their passions and effect their ruin.' " San Francisco authorities lamented that the police "have found white women and Chinamen side by side under the effects of this drug—a humiliating sight to anyone who has anything left of manhood." In 1910 Hamilton Wright, a U.S. diplomat who was a key player in the passage of federal anti-drug legislation, told Congress that "one of the most unfortunate phases of the habit of smoking opium in this country" was "the large number of women who [had] become involved and were living as common-law wives or cohabiting with Chinese in the Chinatowns of our various cities."

Fears of miscegenation also played a role in popular outrage about cocaine, which was said to make blacks uppity and prone to violence against whites, especially sexual assault. In 1910 Christopher Koch, a member of the Pennsylvania Pharmacy Board who pushed for a federal ban on cocaine, informed Congress that "the colored people seem to have a weakness for it....They would just as leave rape a woman as anything else, and a great many of the southern rape cases have been traced to cocaine." Describing cocaine's effect on "hitherto inoffensive, law abiding negroes" in the *Medical Record,* Edward Huntington Williams warned that "sexual desires are increased and perverted."

Marijuana, another drug that was believed to cause violence, was also linked to sex crimes and, like opium, seduction. Under marijuana's influence, according to a widely cited 1932 report in *The Journal of Criminal Law and Criminology*, "sexual desires are stimulated and may lead to unnatural acts, such as indecent exposure and rape." The authors quoted an informant who "reported several instances of which he claimed to have positive knowledge, where boys had induced girls to use the weed for the purpose of seducing them." The federal Bureau of Narcotics, which collected anecdotes about marijuana's baneful effects to support a national ban on the drug, cited "colored students at the Univ. of Minn. partying with female students (white) smoking [marijuana] and getting their sympathy with stories of racial persecution. Result pregnancy." The bureau also described a case in which "two Negroes took a girl fourteen years old and kept her for two days in a hut under the influence of marijuana. Upon recovery she was found to be suffering from syphilis."

Drug-related horror stories nowadays are rarely so explicitly racist. A notable and surprising exception appears in the 2000 film *Traffic*, which is critical of the war on drugs but nevertheless represents the utter degradation of an upper-middle-class white teenager who gets hooked on crack by showing her having sex with a black man. Whether related to race or not, parental anxieties about sexual activity among teenagers have not gone away, and drugs are a convenient scapegoat when kids seem to be growing up too fast.

The link between drugs and sex was reinforced by the free-love ethos of the '60s counterculture that embraced marijuana and LSD. In the public mind, pot smoking, acid dropping, and promiscuous sex were all part of the same lifestyle; a chaste hippie chick was a contradiction in terms. When Timothy Leary extolled LSD's sex-enhancing qualities in a 1966 interview with *Playboy*, he fueled the fears of parents who worried that their daughters would be seduced into a decadent world of sex, drugs, and rock 'n' roll. The Charles Manson case added a sinister twist to this scenario, raising the possibility of losing one's daughter to an evil cult leader who uses LSD to brainwash his followers, in much the same way as Chinese men were once imagined to enthrall formerly respectable white girls with opium.

The alarm about the sexual repercussions of "club drugs," then, has to be understood in the context of warnings about other alleged aphrodisiacs, often identified with particular groups perceived as inferior, threatening, or both. The fear of uncontrolled sexual impulses, of the chaos that would result if we let our basic instincts run wild, is projected onto these groups and, by extension, their intoxicants. In the case of "club drugs," adolescents are both victims and perpetrators. Parents fear for their children, but they also fear them. When Mayor Daley warned that "they are after all of our children," he may have been imagining predators in the mold of Fu Manchu or Charles Manson. But the reality is that raves—which grew out of the British "acid house" movement, itself reminiscent of the psychedelic dance scene that emerged in San Francisco during the late '60s—are overwhelmingly a youth phenomenon.

The experience of moving all night to a throbbing beat amid flickering light has been likened to tribal dancing around a fire. But for most people over 30, the appeal of dancing for hours on end to the fast, repetitive rhythm of techno music is hard to fathom. "The sensationalist reaction that greets every mention of the word *Ecstasy* in this

When Timothy Leary extolled LSD's sex-enhancing qualities in *Playboy*, he fueled the fears of parents who worried that their daughters would be seduced into a decadent world of sex, drugs, and rock 'n' roll.

country is part of a wider, almost unconscious fear of young people," writes Jonathan Keane in the British *New Statesman*, and the observation applies equally to the United States. For "middle-aged and middle-class opinion leaders...E is a symbol of a youth culture they don't understand."

This is not to say that no one ever felt horny after taking MDMA. Individual reactions to drugs are highly variable, and one could probably find anecdotes suggesting aphrodisiac properties for almost any psychoactive substance. And it is no doubt true that some MDMA users, like the woman quoted in *Cosmo*, have paired up with sexual partners they found less attractive the morning after. But once MDMA is stripped of its symbolism, these issues are no different from those raised by alcohol. In fact, since MDMA users tend to be more lucid than drinkers, the chances that they will do something regrettable are probably lower.

I Love You Guys

Another alcohol-related hazard, one that seems to be more characteristic of MDMA than the risk of casual sex or rape, is the possibility of inappropriate emotional intimacy. The maudlin drunk who proclaims his affection for everyone and reveals secrets he might later wish he had kept is a widely recognized character, either comical or pathetic depending upon one's point of view. Given MDMA's reputation as a "love drug," it's natural to wonder whether it fosters the same sort of embarrassing behavior.

Tom Cowan, a systems analyst in his 30s, has used MDMA a few times, and he doesn't think it revealed any deep emotional truths. (All names of drug users in this story are pseudonyms.) "For me," he says, "it was almost too much of a fake....It was too artificial for me....I felt warm. I felt loved. All of those sensations came upon me....I had all these feelings, but I knew that deep down I didn't feel that, so at the same time there was that inner struggle as far as just letting loose and just being....That was difficult because of the fakeness about it for me." More typically, MDMA users perceive the warm feelings as real, both at the time and in retrospect. Some emphasize an enhanced connection to friends, while others report a feeling of benevolence toward people in general.

"I was very alert but very relaxed at the same time," says Alison Witt, a software engineer in her 20s. "I didn't love everybody....It's a very social drug, and you do feel connected to other people, but I think it's more because it creates a sense of relaxation and pleasure with people you're familiar with." Walter Stevenson, a neuroscientist in his late 20s, gives a similar account: "I felt really happy to have my friends around me. I just enjoyed sitting there and spending time with them, not necessarily talking about anything, but not to the degree that I felt particularly attracted or warm to people I didn't know. I was very friendly and open to meeting people, but there wasn't anything inappropriate about the feeling."

Adam Newman, an Internet specialist in his 20s, believes his MDMA use has helped improve his social life. "It kind of catapulted me past a bunch of shyness and other mental and emotional blocks," he says. Even when he wasn't using MDMA, "I felt a lot better than I had in social interactions before." Bruce Rogers, a horticulturist in his 40s, says one thing he likes about MDMA is that "you can find something good in somebody that you dislike." He thinks "it would make the world a better place if everybody did it just once."

That's the kind of assertion, reminiscent of claims about LSD's earthshaking potential, that tends to elicit skeptical smiles. But the important point is that many MDMA users believe the drug has lasting psychological benefits, even when it's taken in a recreational context—the sort of thing you don't often hear about alcohol.

Not surprisingly, people who use MDMA in clubs and at raves emphasize its sensual and stimulant properties, the way it enhances music and dancing. But they also talk about a sense of connectedness, especially at raves. Jasmine Menendez, a public relations director in her early 20s who has used MDMA both at raves and with small groups of friends, says it provides "a great body high. I lose all sense of inhibition and my full potential is released....It allows me to get closer to people and to myself."

Too Much Fun

Euphoria is a commonly reported effect of MDMA, which raises the usual concerns about the lure of artificial pleasure. "It was an incredible feeling of being tremendously happy where I was and being content in a basic way," Stevenson recalls of the first time he felt MDMA's effects. He used it several more times after that, but it never became a regular habit.

Menendez, on the other hand, found MDMA "easy to

become addicted to" because "you see the full potential in yourself and others; you feel like you won the lottery." She began chasing that feeling one weekend after another, often taking several pills in one night. "Doing e as much as I did affected my relationship with my mother," she says. "I would come home cracked out from a night of partying and sleep the whole day. She couldn't invite anyone over because I was always sleeping. She said that my party habits were out of control. We fought constantly. I would also go to work high from the party, if I had to work weekends. The comedown was horrible because I wanted to sleep and instead I had to be running around doing errands."

Menendez decided to cut back on her MDMA consumption, and recently she has been using it only on special occasions. "I think I've outgrown it finally," she says. "I used e to do some serious soul searching and to come out of my shell, learning all I could about who I really am. I'm grateful that I had the experiences that I did and wouldn't change it for the world. But now, being 23, I'm ready to embrace mental clarity fully. Ecstasy is definitely a constructive tool and if used correctly can benefit the user. It changed my life for the better, and because of what I learned about myself, I'm ready to start a new life without it."

Sustained heavy use of MDMA is rare, partly because it's impractical. MDMA works mainly by stimulating the release of the neurotransmitter serotonin. Taking it depletes the brain's supply, which may not return to normal levels for a week or more. Some users report a hangover period of melancholy and woolly-headedness that can last a few days. As frequency of use increases, MDMA's euphoric and empathetic effects diminish and its unpleasant side effects, including jitteriness and hangovers, intensify. Like LSD, it has a self-limiting quality, which is reflected in patterns of use. In a 2000 survey, 8.2 percent of high school seniors reported trying MDMA in the previous year. Less than half of them (3.6 percent) had used it in the previous month, and virtually none reported "daily" use (defined as use on 20 or more occasions in the previous 30 days). To parents, of course, any use of MDMA is alarming, and the share of seniors who said they'd ever tried the drug nearly doubled between 1996 and 2000, when it reached 11 percent.

Parental fears have been stoked by reports of sudden fatalities among MDMA users. Given the millions of doses consumed each year, such cases are remarkably rare: The Drug Abuse Warning Network counted nine MDMA-related deaths in 1998. The most common cause of death is dehydration and overheating. MDMA impairs body temperature regulation and accelerates fluid loss, which can be especially dangerous for people dancing vigorously in crowded, poorly ventilated spaces for hours at a time. The solution to this problem, well known to experienced ravers, is pretty straightforward: avoid clubs and parties where conditions are stifling, take frequent rests, abstain from alcohol (which compounds dehydration), and drink plenty of water. MDMA also interacts dangerously with some prescription drugs (including monoamine oxidase inhibitors, a class of antidepressants), and it raises heart rate and blood pressure, of special concern for people with cardiovascular conditions.

Another hazard is a product of the black market created by prohibition: Tablets or capsules sold as Ecstasy may in fact contain other, possibly more dangerous drugs. In tests by private U.S. laboratories, more than one-third of "Ecstasy" pills turned out to be bogus. (The samples were not necessarily representative, and the results may be on the high side, since the drugs were submitted voluntarily

As frequency of use increases, MDMA's euphoric and empathetic effects diminish and its unpleasant side effects, including jitteriness and hangovers, intensify.

for testing, perhaps by buyers who had reason to be suspicious.) Most of the MDMA substitutes, which included caffeine, ephedrine, and aspirin, were relatively harmless, but one of them, the cough suppressant dextromethorphan (DXM), has disturbing psychoactive effects in high doses, impedes the metabolism of MDMA, and blocks perspiration, raising the risk of overheating. Another drug that has been passed off as MDMA is paramethoxyamphetamine (PMA), which is potentially lethal in doses over 50 milligrams, especially when combined with other drugs. In 2000 the DEA reported 10 deaths tied to PMA. Wary Ecstasy users can buy test kits or have pills analyzed by organizations such as DanceSafe, which sets up booths at raves and nightclubs.

Nervous Breakdown

Generally speaking, a careful user can avoid the short-term dangers of MDMA. Of more concern is the possibility of long-term brain damage. In animal studies, high or repeated doses of MDMA cause degeneration of serotonin nerve receptors, and some of the changes appear to be permanent. The relevance of these studies to human use of MDMA is unclear because we don't know whether the same changes occur in people or, if they do, at what doses and with what practical consequences. Studies of human users, which often have serious methodological shortcomings, so far have been inconclusive.

Still, the possibility of lasting damage to memory should not be lightly dismissed. There's enough reason for concern that MDMA should no longer be treated as casually as "a low-calorie martini." If the fears of neurotoxicity prove to be well founded and a safe dose cannot be estimated with any confidence, a prudent person would need a good reason—probably better than a fun night out—to take the risk. On the other hand, the animal research suggests that it may be possible to avoid neural damage by preventing hyperthermia or by taking certain drugs (for example, Prozac) in conjunction with MDMA. In that case, such precautions would be a requirement of responsible use.

However the debate about MDMA's long-term effects turns out, we should be wary of claims that it (or any drug) makes people "engage in random sex acts." Like the idea that certain intoxicants make people lazy, crazy, or violent, it vastly oversimplifies a complex interaction between the drug, the user, and the context. As MDMA's versatility demonstrates, the same drug can be different things to different people. Michael Buchanan, a retired professor in his early 70s, has used MDMA several times with one or two other people. "It's just wonderful," he says, "to bring closeness, intimacy—not erotic intimacy at all, but a kind of spiritual intimacy, a loving relationship, an openness to dialogue that nothing else can quite match." When I mention MDMA use at raves, he says, "I don't understand how the kids can use it that way." ■

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reason *Senior Editor Jacob Sullum (jsullum@reason.com) is writing a book about the morality of drug use.*

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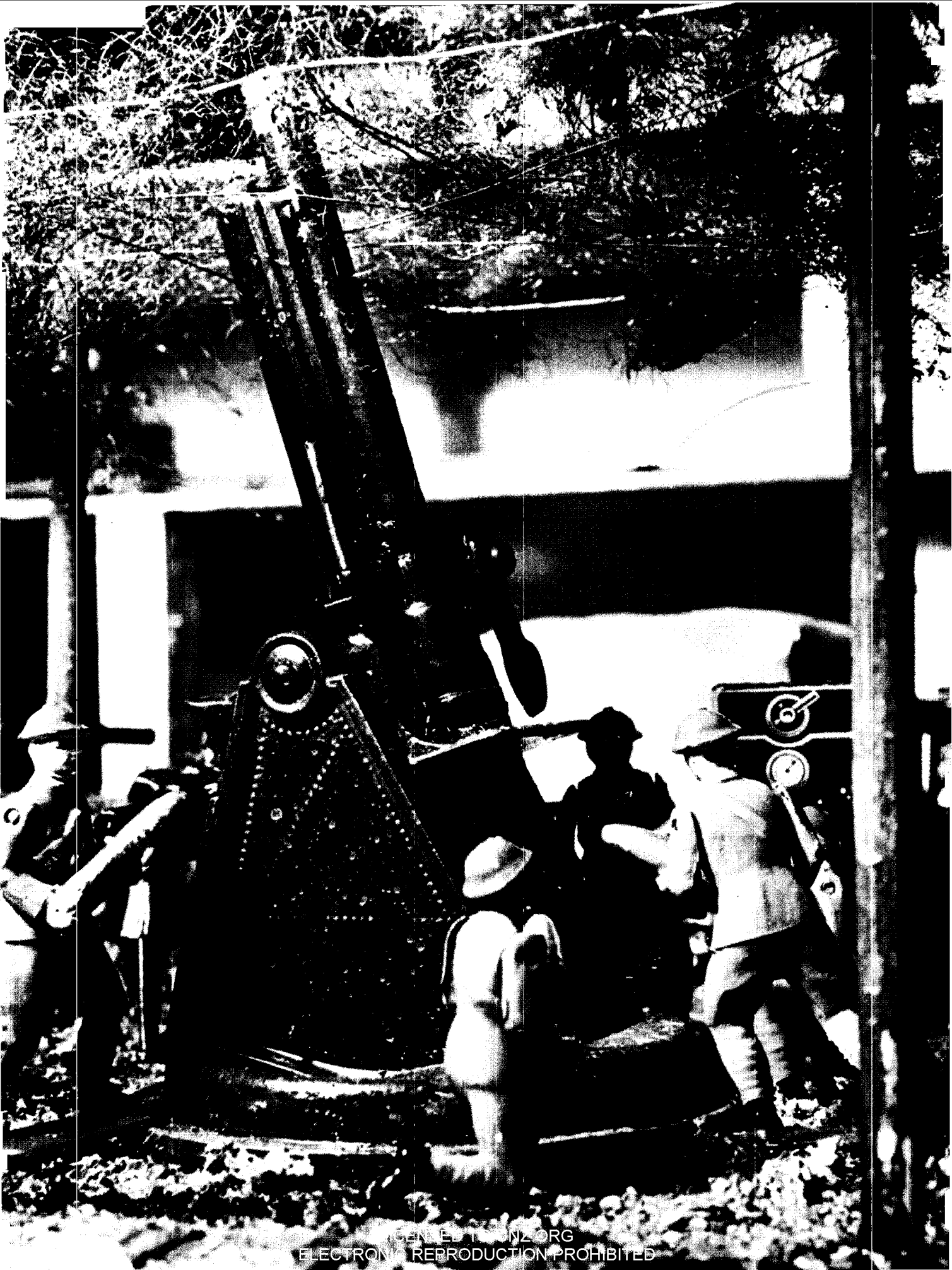

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Battlefield Conversions

reason talks with three ex-warriors who now fight against the War on Drugs

Interviewed by Michael W. Lynch

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Like any war, the War on Drugs has its good soldiers—a varied bunch, coming from all walks of life and filling all ranks. They include eager volunteers, from the drug czars at the top of the command chain to the beat cops, Drug Enforcement Administration and Customs Service agents out in the field. The war also has reluctant conscripts, such as state and federal judges compelled by mandatory minimum sentencing rules to enforce laws that many see as counterproductive and unjust.

Increasingly, the War on Drugs also has what its partisans might consider traitors—former soldiers who have become convinced that U.S. drug policy is ineffective, immoral, or some combination of the two. **reason** National Correspondent Michael W. Lynch (mwlynch@reason.com) recently spoke with three such figures who were once integral cogs in the drug war machine.

The Cop: Joseph D. McNamara

Joseph D. McNamara started out as a grunt in America's battle against drugs. "It was sort of like the body count in Vietnam," says McNamara about the petty arrests for heroin he made as a Harlem beat cop in the late 1950s. "The department loved to count these drug arrests and release statistics to show we were winning the war." In 1969, he spent a year as a criminal justice fellow at Harvard Law School. Eventually, he ended up earning a Ph.D. in public administration. "I wrote my dissertation in 1973 and predicted the escalation and failure of the drug war—and the vast corruption and violence that would follow," recalls McNamara. "I never published it because I wanted a police career and not an academic career."

That's exactly what he got. He served as chief of police in Kansas City from 1973 to 1976. In the bicentennial year, he moved on to become the top cop in San Jose, California, a post he held until he retired in 1991. He currently hangs his hat at the Hoover Institution at Stanford, where he conducts seminars on the War on Drugs for law enforcement officials. The author of six books, including the drug war detective novel *Code 211 Blue*, the 66-year-old McNamara is working on a new book titled *Gangster Cops: The Hidden Cost of America's War on Drugs*.

reason: How did you get involved in what is now called the War on Drugs?

Joseph D. McNamara: I got involved as a foot patrolman in Harlem way back in 1957. A few years later the heroin epidemic swept through Harlem and was devastating. And so the police did what the police do: We arrested everyone in sight. It soon became apparent that it wasn't reducing drug use or drug selling. My eyes were really opened one day when my partner and I arrested a heroin addict. The addicts gathered on the top floor landings of buildings, which we referred to as shooting galleries. We used to routinely bust them for possession of hypodermic needles and also for the big crime of having cookers with residues of heroin.

One day an addict asked if we could give him a break. He said, "I'll give you a pusher if you let me go." We followed him down Lenox Avenue in uniform and in a marked police car. As he talked to one man after another, it struck me how little impact the police had on the drug problem. If we hadn't known what he was talking about, we would've thought they were just two men talking sports or the weather or whatever.

reason: Is this why police rely on informants and sting operations?

McNamara: Since the police can't do their job the way they do it with other crimes, they resort to informants and to illegal searches. This is a major problem underlying police integrity throughout the United States.

Last year, state and local police made somewhere

The Cop: "Otherwise honest cops think it's legitimate to commit these illegal searches and to perjure themselves because they are fighting an evil. In New York it's called 'testilying.'"

around 1.4 million drug arrests. Almost none of those arrests had search warrants. Sometimes the guy says, "Sure, officer, go ahead and open the trunk of my car. I have a kilo of cocaine back there but I don't want you to think I don't cooperate with the local police." Or the suspect conveniently leaves the dope on the desk or throws it at the feet of the police officer as he approaches. But often nothing like that happens.

The fact is that sometimes the officer reaches inside the suspect's pocket for the drugs and testifies that the suspect "dropped" it as the officer approached. It's so common that it's called "dropsy testimony." The lying is called "white perjury." Otherwise honest cops think it's legitimate to commit these illegal searches and to perjure themselves because they are fighting an evil. In New York it's called "testilying," and in Los Angeles it's called joining the "Liar's Club." It has lead some people to say L.A.P.D. stands for Los Angeles Perjury Department. It has undermined one of the most precious cornerstones of the whole criminal justice process: the integrity of the police officer on the witness stand.

reason: What role do institutional interests play in the drug war?

McNamara: One year when I was police chief in San Jose, the city manager sent me a budget that contained no money for equipment. I politely told him that when you have a police department, you have to buy police cars, uniforms, and other equipment for the cops. He laughed, waved his hand, and said, "Last year you guys seized $4 million dollars. I expect you to do even better this year. In fact, you will be evaluated on that and you can use that money for equipment." So law enforcement becomes a revenue-raising agency and that takes, in too many cases, precedence over law enforcement.

reason: From the perspective of the working police officer, how has the War on Drugs changed over the years?

McNamara: It has become the priority of police agencies. It's bizarre. We make 700,000 arrests for marijuana a year. The public is not terrified of marijuana. People are terrified of molesters, school shootings, and people stalking women and children. The police are not putting the resources into those crimes where they could be effective if they gave them top priority.

reason: There's some controversy over whether the arrests for possession are really for possession or if they are for dealing but prosecuted as possession. Do you have any thoughts on that?

McNamara: It's both true and false. Most low-level dealers are users, like the guy that we finally did bust after we let the addict go. He was an addict, too, and he was no better or worse than the guy we let go. But what we had actually done, which is standard operating procedure in the drug war, is let someone go who had committed a crime because they enticed someone else to commit a more serious crime.

reason: What role does race play in the War on Drugs?

McNamara: The drug war is an assault on the African-American community. Any police chief that used the tactics used in the inner city against minorities in a white middle-class neighborhood would be fired within a couple of weeks.

It was a very radical change in public policy for the federal government to criminalize drugs in the early 20th century. Congress was reluctant to pass it because you had a very small federal government in 1914 and to interfere with the state police powers was a big deal. They couldn't get this legislation passed until they played the race card: They introduced letters and testimony that blacks were murdering white families; the police in the South were having trouble with "Negroes" because of these drugs; there were white women in "yellow" opium dens. The same prejudice popped up in 1937 when they outlawed marijuana.

If anyone tried to pass laws on those same bases today, they'd be condemned. Yet the laws that we have are the last vestiges of Jim Crow. You don't have to identify yourself as a bigot anymore—you can be for the drug war and you really are getting "them."

reason: Do you think there's a greater risk in just questioning the operation of the War on Drugs than there is to testilying and going along with it in unethical ways?

McNamara: For police chiefs, there is some wiggle room. They can support sterile needle exchanges, medical marijuana treatment, and education diversion instead of incarceration. But it's asking an awful lot for them to come out and say, "Look, this drug prohibition is a stupid thing we shouldn't have started in 1914 and it gets worse and worse every year." That's a big step for a police chief. That's asking them to commit career suicide.

reason: Were you frustrated as a police chief with the constraints of the law?

McNamara: Enormously. Police chiefs are sitting on kegs of dynamite. Many of them are really decent, progressive guys. They are worried about the disproportion-

ate racial impact and the corruption. But there's nothing they can do. There's just too much money in it. You don't have the ability, regardless of the propaganda, to eliminate the code of silence. You don't have unlimited power. You have lots of constraints on how the police can discipline themselves, even for chiefs who are legitimately interested in doing so.

The Fed: Michael Levine

Michael Levine was born to fight the War on Drugs. He grew up tough in the Bronx during the 1950s and was an accomplished brawler by junior high school. Though Jewish, he identified with the Puerto Ricans moving into the neighborhood and he picked up fluent Spanish, a skill that came in handy later when he started doing undercover work in Latin America. He was personally motivated to fight drugs: His kid brother was addicted to heroin. "I saw it killing my brother," says Levine, 60. In 1965, Levine started a 25-year career in federal law enforcement that included stints in the Customs Service, the Drug Enforcement Administration, and the Bureau of Alcohol, Tobacco, and Firearms. He traveled the world and arrested some 3,000 people.

Yet it wasn't long before Levine noticed a gap between the rhetoric and reality of the drug war. Says Levine, "Among DEA agents, the notion of really winning the drug war is so far out of the question that anyone who even mentions it is considered some kind of nut." Today, he serves as an expert witness on all things drug-related and hosts a radio show, *Expert Witness*, on WBAI, Pacifica Radio, in New York. He's authored and co-authored numerous books, including *Deep Cover: The Inside Story of How DEA Infighting, Incompetence, and Subterfuge Lost Us the Biggest Battle of the Drug War* (1990) and the novel *Triangle of Death: Deep Cover II* (1996).

reason: Why did you want to become a drug agent?

Michael Levine: I believed that it was the number one national security threat. I saw heroin killing my brother. I saw people around me dying. I saw the crime rate skyrocketing. I fell into the same trap that we are in right now. I blamed everything on those evil drug dealers.

reason: After a quarter-century as an agent, how have you seen the drug war change at the agent level?

Levine: It has become murderous. I remember back to the beginning of the Drug Enforcement Administration, which was founded in 1973 by President Richard Nixon. At that time, three agents went into the wrong premises in Collinsville, Illinois. They were prosecuted for breaking down the wrong door.

I was involved as an expert witness in the Donald Carlson case, which was on *60 Minutes*. In that case, a multi-agency task force, outfitted in high-tech guerrilla gear, crashed into the home of a *Fortune* 500 executive and shot him down in his own living room on the basis of the word of an uncorroborated informant. Nobody was penalized for it. In fact, the people who did it were eventually promoted.

As the expert witness, I had access to all the reports and I recommended that these people be prosecuted. They paid no attention to the man's civil rights. He had no record or reputation for drugs. They did nothing but crash through his door on the basis of an informant's say-so. The drug war has succeeded in militarizing police against their own people.

reason: At what point did you start to question the War on Drugs?

Levine: I was sent undercover to Bangkok during the Vietnam War. I was hanging with Chinese drug dealers in Bangkok. They were smuggling heroin into the U.S. in the dead bodies of GIs who were transshipped through

The Cop: "We make 700,000 arrests for marijuana a year. The public is not terrified of marijuana. People are terrified of molesters, school shootings, and people stalking women and children."

Thailand. The Chinese drug dealers invited me to go to *the factory up in the* Golden Triangle area in northern Thailand, where much of the heroin sent to the United States originated.

All of a sudden I was cut off from logistical support. I was given no money to pay my hotel bills. There were these snafus going on with administrative stuff. They were so strange and inopportune that the dealers were starting to suspect me. It started to get really dangerous. A CIA agent informed me that I wasn't going undercover to the factory. I asked why. First he told me it was dangerous, that we had lost people up there. But I insisted. Finally, he said, "Levine, our country has other priorities." That was the first time I heard that phrase. That was the beginning of me doubting the intentions of our leaders in the drug war.

reason: What year was that?

Levine: That was 1971.

reason: And yet you continued on.

Levine: I was a good soldier. I had come out of the military. My brother was still a heroin addict. At that point, I thought my experience in Thailand was an isolated incident here in Southeast Asia. I couldn't conceive of my country lying to me.

reason: In the chapter you contributed to *After Prohibition: An Adult Approach to Drug Policies in the 21st Century* (Cato Institute), you argue that drug agents have come to recognize that their efforts ultimately have no impact on the drug trade. What's the mindset of agents in this war?

Levine: Before you become an agent, you're bombarded with stories of drug war victories. It's painted as heroic —guys in guerrilla outfits and jungle gear fighting the drugs everywhere. You want to do something for your country. Then when you get in, the first thing you discover is that you can't touch some of the biggest drug dealers in the world because they're protected by the CIA or they're protected by the State Department. Everyone from Carlos Salinas de Gortari of Mexico to Manuel Noriega to the contras in Nicaragua to the Mujahedin in Afghanistan. Those of us who work overseas realize that this whole thing is a three-card monte game, that it's a lie.

reason: You say the cartel responsible for much of the cocaine in the U.S. during the '80s not only didn't fear the drug war but that they counted on it to increase the price and to weed out smaller dealers. What is your evidence for that?

High Numbers

Statistics from the War on Drugs. All dollar amounts are unadjusted for inflation.

1914 Year the federal government first outlawed narcotics

1937 Year federal government outlawed marijuana

1966 Year federal government outlawed LSD

1986 Year federal government outlawed Ecstasy (MDMA)

75 Millions of dollars the DEA spent in 1973, the year of its birth

1.5 Billions of dollars the DEA spent in 2000

2,898 Number of people the DEA employed in 1973

9,132 Number of people the DEA employed in 2000

226,304 Number of state and local officers the DEA trained for the drug war from 1991 through 1999

1988 Year the White House Office on National Drug Control Policy was established

6.3 Percentage of U.S. population 12 years and older who reported using "illicit" drugs within the past month in 2000

59 Percentage of past-month drug users who only smoked pot

0.1 Percentage of population ages 12 and over who smoked crack within the past month

0.1 Percentage of population ages 12 and over who used heroin within the past month

9.7 Percentage of population ages 12–17 who used any illegal drug within the past month

19.6 Percentage of population ages 18–20 who used any illegal drug within the past month

7 Percentage of population ages 30–34 who used any illegal drug within the past month

6.3 Percentage of population ages 40–44 who used any illegal drug within the past month

1.5 Percentage of population ages 60–64 who used any illegal drug within the past month

Levine: It's 1987 and I'm posing as Luis Miguel-Garcia, an undercover Mafia don who's half Sicilian and half Puerto Rican. I'm in a meeting at a restaurant outside of Panama with another undercover customs agent and the ruling faction of La Corporacion, the Bolivian cocaine cartel. They invited us to Bolivia to look at their production facilities. At that time, the U.S. had begun its paramilitary operations in Bolivia, which are now in Colombia.

So as a pretext, I told the man that we can't go down there because we read in the newspapers that the U.S. military is down there. He laughed and said, "That's just for the gringos. That's not real." And his hand slid up and down above the table. He said, "They have helicopters that go up and that go down. We know what they are doing before they do." That's the reality of the drug war. It's completely fictitious. It's only for the American people.

reason: You think that's still the case?

Levine: It's absolutely still the case.

reason: You say, in your experience, that 90 percent of drug users are white. What do you base this on?

Levine: That's DEA statistics. I've spent much of my life in these ghetto neighborhoods watching drug dealers. I would say 95 percent of the customers are white.

reason: If this is the case, why are the statistics almost reversed when it comes to drug arrests?

Levine: Because you go after the dealer. You have a lot of these think tanks, such as The Lindesmith Center, saying that it's a racist drug war and that the cops go after users. That mistaken theory is based on the statistic of arrests for possession. I have made 3,000 arrests myself and, as a supervisor of squads of agents for 17 years, have probably been involved in 8,000 arrests. A huge amount of them are for possession. But none is for using drugs. Not one. We didn't go after users. We went after a dealer, street-level or whatever, and charged them with possession because it's easy to prove.

reason: You said that when you were stationed in New York, news directors would call up the DEA for a drug story on a slow news week and ask if they could go along with a bust. Did you have personal experience with that?

Levine: I've been on video with my face blacked out. Dan Rather, *20/20*, *ABC News*.

reason: You actually had personal experience with news directors calling up and then raids being hurried up or fabricated?

Levine: Here's what happens. A news director needs a story. The special agent in charge of New York, who we called Captain Video, because he was very media conscious, would call our squad and say so-and-so is on the phone from ABC. Do you have anything going? Do you got anything you can make an arrest on?

Is that manufacturing news? I don't know. You tell me. That's what would happen.

reason: You claim to have witnessed numerous constitutional abuses. Can you give me some examples?

Levine: The Carlson case is the best. The man was a *Fortune* 500 executive and had no reputation whatsoever. He didn't know coke from garden mulch. A criminal informant pointed out his house and two other houses. Agents, without any investigation whatsoever, just crashed into his house and shot the man down. That is now typical. *60 Minutes* did a wonderful piece on it in 1993 called "The Informers." There is no U.S. Constitution any more when it comes to the drug war.

reason: What is the relationship between informants, drug agents, and arrests?

Levine: Informants run the drug war. Ninety-nine percent of all drug cases start off with a criminal informant. These informants are criminals and liars and they will

The Fed: "Among DEA agents, the notion of really winning the drug war is so far out of the question that anyone who even mentions it is considered some kind of nut."

create crimes to make money and, at the same time, get the protection of the people they are working for.

reason: For all this, you're against complete drug legalization. Why?

Levine: You can't do it because certain drugs are just so addictive. I grew up in a bad neighborhood in South Bronx. Like I said, my brother became a heroin addict. I didn't touch drugs because of the stigma. You weren't a *victim* in those days, you were a scumbag lowlife and you were a felon. That worked on me. It was no surprise to hear from a poll taken during the first Bush administration that of the 99 percent of kids in ghettos who don't touch drugs, the main reason they give is because they are illegal.

What do you do when you legalize it? You are the government crack dealer and a 14-year-old kid comes up to you. Do you sell it to him? If you say no, then you're already talking about another prohibition, another market. So what do you do when you sell legal crack to a guy who's 30 and he turns around and sells it to 15-year-old kids? That's illegal! It doesn't work. And, then you get into other drugs like Angel Dust, methamphetamines, LSD. What do you do with that stuff? Is it legal? You are talking about stuff that directly affects the public safety.

reason: Do you think people can use these drugs recreationally, like alcohol?

Levine: Some drugs, yes, and some drugs, no. The blanket prohibition of drugs, I think, is wrong.

The Judge: James P. Gray

Most individuals arrested by a cop eventually appear before a judge. These days, they won't be appearing in Judge James P. Gray's Southern California courtroom. Since publicly questioning the U.S. drug strategy, the Orange County Superior Court judge has kept himself off the criminal calendar. But, like Levine and McNamara, he has witnessed the reality of the U.S. drug war—as a defense attorney in the Navy, as a prosecutor in Los Angeles, and as a judge. Says the 56-year-old Gray, "We're flooding our courts with these cases that aren't making any difference whatsoever."

In 1998, Gray ran unsuccessfully against then-Rep. Bob "B-1" Dornan in the Republican congressional primary for the 46th District in Orange County, California. Gray is particularly frustrated with what he says is a major pillar supporting the drug war: the informal prohibition of discussing options other than, well, prohibition. "The World Affairs

>> High Numbers

4.2 Percentage of college graduates who used drugs within the past month

18.4 Percentage of 18–22 year old college students who used drugs within the past month

7.7 Percentage of men who used any illegal drug within the past month

5 Percentage of women who used any illegal drug within the past month

6.4 Percentage of white Americans who used drugs within the past month

5.3 Percentage of Hispanic Americans who used drugs within the past month

6.4 Percentage of black Americans who used drugs within the past month

20 Percentage of federal and state prisoners serving time for drug offenses in 1998 who were white

22 Percentage of federal and state prisoners serving time for drug offenses in 1998 who were Hispanic

57 Percentage of federal and state prisoners serving time for drug offenses in 1998 who were black

923,000 Number of heroin addicts in the U.S. in 1988

977,000 Number of heroin addicts in 2000

39 to 77 Range, in billions of dollars, Americans spent annually to purchase cocaine between 1989 and 1998

10 to 22 Range, in billions of dollars, Americans spent annually to purchase heroin between 1989 and 1998

400 Dollars a pure gram of cocaine cost in the U.S. in 1981

170 Dollars a pure gram of cocaine cost in the U.S. in 1998

2,000 Dollars a pure gram of injection-grade heroin cost in 1981

400 Dollars a pure gram of injection-grade heroin cost in 1998

(Sources: DEA, Office of National Drug Control Policy, Bureau of Justice Statistics, 1999 National Household Survey on Drug Abuse)

Council in Orange County invited then-drug czar Gen. Barry McCaffrey to come here and debate me on drug policy," says Gray. "His answer was, 'No, I don't have time to give a debate, but I do have time to give a speech.'" Gray never booked a debate with McCaffrey, but he put his side of the debate in a new book, *Why Our Drug Laws Failed and What We Can Do About It* (Temple University Press).

reason: What has been your involvement with the War on Drugs?

James P. Gray: I go way back. I am a former drug warrior. I believed in it and I did it with a bold heart. I was a criminal defense attorney in the Navy and handled drug cases. I was a federal prosecutor in Los Angeles in the U.S. Attorney's Office. For a short time, I held the record for the largest drug prosecution in the Central District in California. Having been a judge since 1983, I've seen in my own court that we just churn these people through the system and we seldom get the real top bananas.

reason: Did any specific event prompt you to question your involvement with the drug war?

Gray: It just really evolved. I've been clipping newspaper articles now for about 20 years. It's just the lights go on, and then the lights go on a little stronger. I can't say there was an epiphany. It just was kind of a Chinese water torture. It just kept going and kept going, where eventually I just had to say something publicly about it.

reason: What is the typical drug case that comes before your court?

Gray: The typical drug case is a small amount of drugs that is being sold by somebody to support his or her habit. You get into some larger ones. A couple of weeks ago we had a 12-ton shipment of cocaine coming towards San Diego. But mostly it's just the low-level users and the low-level drug sellers. And we fill our prisons with them.

reason: How do you adjudicate those typically? Does the law force you to adjudicate them in ways you think are counterproductive?

Gray: The answer to the second question is certainly yes. There are documented situations in which very conservative federal judges are literally in tears because they are required by the law to sentence a particular offender to a draconian sentence.

reason: What's the worst drug case you've had come before you?

Gray: I was on Juvenile Court for Abused and Neglected Children. I can't get these cases out of my mind. It was common that a single mother—say she has two children—would hook up with the wrong boyfriend, who would be a drug dealer. One fine day he would tell her, "Look, Maria, I'll pay you $500 to take this package across town to Charlie." She basically knows it has narcotics in it. She gets arrested and gets five years in prison.

What happens to her children? They come into my court as abused and neglected children. There's the mother in a prison jumpsuit and handcuffs and I tell her the truth. "You know, ma'am, you're not going to be a functional part of your children's lives for the next five years." She starts to well up with tears. Then I tell her that unless she's fortunate and has either a close personal friend or family member who is both willing and able to take custody of her children, they are very likely going to be adopted by somebody else by the time she gets out of prison. She dissolves into tears.

Taxpayers can start to dissolve in tears, also. Because for the next year they're going to spend $25,000 of taxpayer money to keep this mother of two in prison. We're going to spend upwards of $5,000 a

The Judge: "There are documented situations in which very conservative federal judges are literally in tears because they are required by the law to sentence a particular offender to a draconian sentence."

month to keep each child in a group home until they are finally adopted by somebody else. So that's $60,000 a year per child, plus $25,000 for the mother. We are spending $145,000 of taxpayer money to physically separate a mother from her children. It just doesn't make any sense.

reason: You write about a drug exception to the Bill of Rights.

Gray: When I graduated from law school in 1971, it was illegal for a police officer, even after arresting you, to search anything that was outside of your grasp. If you can reach over to something, then you could search it. But if a suitcase you were carrying was locked, the police could not go in there unless they got a search warrant first. They couldn't go into the trunk of your car, they couldn't go into the glove compartment, and they couldn't go into the backseat.

That has totally been reversed. The police not only can search you and everything in your car, but they can also search your passengers. They can search your mobile home, which is in effect a home on wheels. They can go through and search everything.

reason: There's a debate over whether the arrests for drug crimes are casual users for possession or dealers who are charged with possession because it's easier to convict. Have you thought about this?

Gray: Basically, I think that the prosecutors are right. We have people who are so overwhelmed that they have to reduce the sentences by plea-bargaining. However, they are all small pushers. They are all little guys. And a lot of them are selling small amounts of drugs in order to support their habits, because the drugs are so artificially expensive.

reason: What has been the response of your colleagues to your speaking out on this issue?

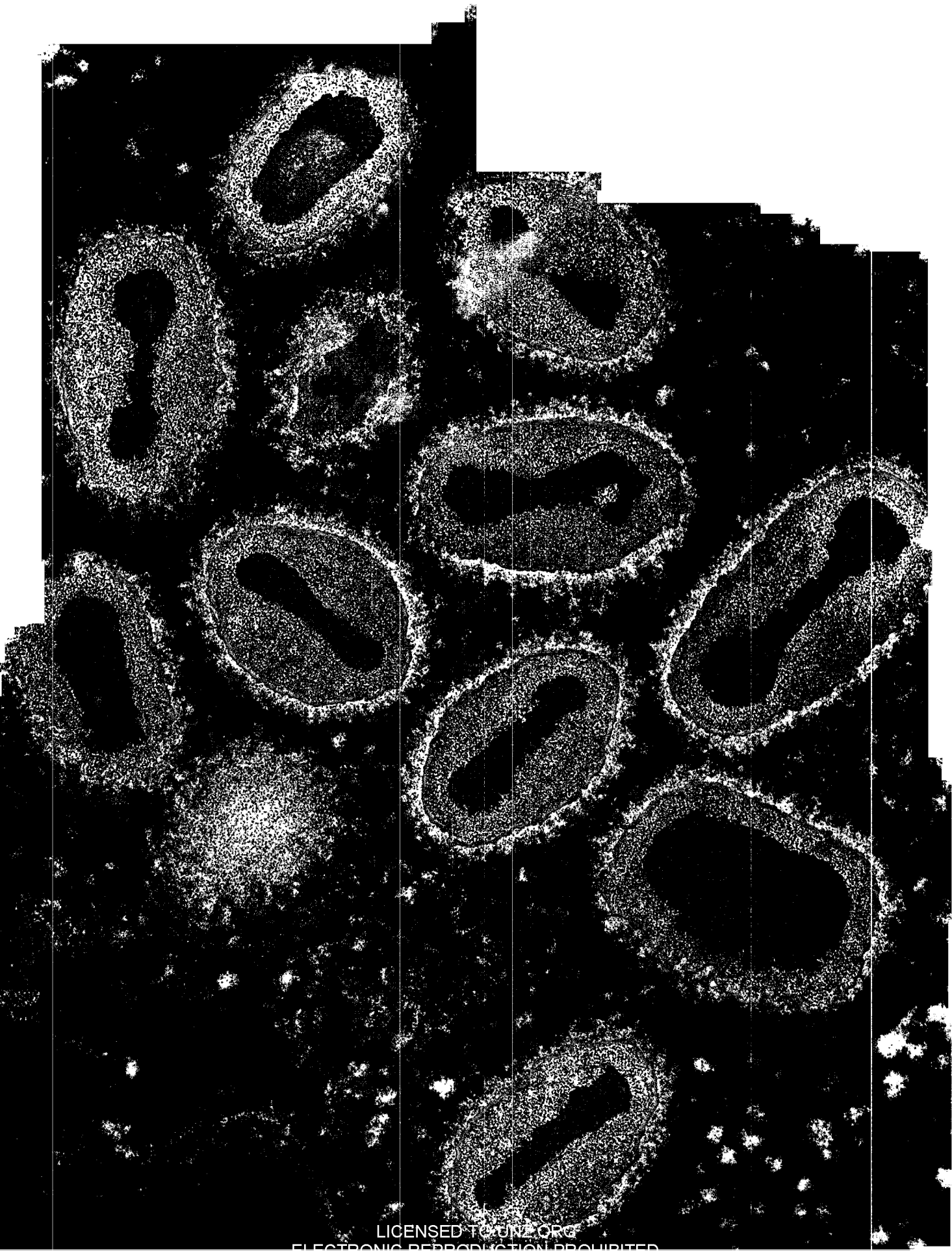
Gray: Anyone who talks about it with me in the elevator or in the judges' lunchroom agrees that what we're doing is not working. Publicly, judges are pretty conservative people. A lot of them don't see themselves as social workers. A lot of them are concerned about their effectiveness and getting reelected, so they are just not going to say publicly what they believe privately.

That was really brought home to me when I gave four forums sponsored by the American Bar Association. After doing so, I received a letter from the present chief justice of the Supreme Court of a Southern state. He wrote, "Dear Jim: You're right. The War on Drugs isn't working. You're also right that it's fully appropriate for a sitting judge to discuss it because of what our position is in society. And I see these cases all the time coming across my desk. What we are doing simply isn't working. But I gave up a lucrative law practice for this present job. I love my job and if I were to speak publicly, I would have to spend all my time justifying myself. I just don't think I could do it."

reason: You write that the only people whose positions have improved under the drug war are those who make more money selling drugs and those who make money enforcing the drug laws. Are you alleging a sort of bootlegger-Baptist coalition, where lawbreakers and prohibitionists end up on the same side of an issue?

Gray: De facto, yes. It was not set up that way. Just like it wasn't set up to discriminate against minorities. But it has evolved into an amazing alliance between the drug lords on the one hand, who are making just obscene amounts of money, and various officials who are getting paid money to enforce this. They both have a financial interest and incentive in continuing with the status quo.

When I was running for Congress a few years ago, I met individually with two sitting congressmen from Orange County to try to get their support. They both said that the War on Drugs isn't working, but the problem is even worse than I thought because most federal agencies get extra money to fight the War on Drugs. It's not just the obvious ones like the U.S. Customs Service and the DEA. It's the little guys too, the Bureau of Land Management, the Bureau of Indian Affairs. They are addicted to drug war funding.



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WHO Cares?

The World Health Organization cares more about its own life than the lives of the poor.

Brian Doherty

PAUL DIETRICH WAS visiting Mozambique's capital city, Maputo, during its civil war in 1984, when an educational billboard taught him a lesson he never forgot.

Dietrich, a former publisher of the old weekly *Saturday Review,* was in Africa working with a Catholic charity. He was driving in his Land Rover, the only working motorized vehicle for miles. Poverty-stricken people surrounded him, most of them on foot, though a lucky few rode oxen. The billboard was the only one he'd seen in all Mozambique. Though most of the chaotic, war-torn country was plagued by regular power outages, the sign had its own electrical supply. This billboard was paid for by the World Health Organization (WHO), the international bureaucracy created, in the words of its constitution, to "promote and protect the health of all peoples."

It urged the people of Mozambique to remember to buckle their seatbelts.

It also helped cement Dietrich's doubts about WHO's vision and mission. After seeing that billboard, and contemplating what it said about WHO's priorities and goals, he became one of WHO's most vocal critics. In the early 1990s, Dietrich served on the development committee of the Pan American Health Organization (which functions as an American branch office for WHO). He has also been president of the Institute for International Health and Development. Dietrich wrote about WHO frequently for *The Wall Street Journal,* and provided material for exposés of WHO shenanigans on *60 Minutes* and various TV documentaries in Europe (where WHO's activities are minded far more closely than in the United States, even though the U.S. provides 22 percent of the organization's regular budget).

Dietrich publicly and repeatedly complained that WHO was a bureaucracy for bureaucracy's sake, mired in useless statement-making and conference-giving. He thought it focused too much on First World concerns—such as seatbelt campaigns and smoking—and not enough on the developing world's sick and poor.

WHO is a bureaucracy for bureaucracy's sake, more interested in giving conferences than ending infectious diseases.

For his troubles, Dietrich became the target of a WHO-sponsored investigator who dug into his and his wife's background, finances, and politics. Dietrich only learned of the investigation when a mole in WHO's Geneva headquarters faxed him a copy of the final report. WHO singled out Dietrich, now an investment banker, in an August 2000 report that received heavy play in the *New York Times* and *Washington Post.* The report, dedicated to the tobacco industry, claimed Dietrich's motives were purely mercenary. He was named as a paid agent in a sinister international tobacco

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industry scheme to discredit WHO. The truth, Dietrich tells me, is far less sexy: A law firm he had worked for did work for tobacco companies, along with almost every other *Fortune* 500 company.

To WHO, which claims to be devoted to science in the name of public health, Dietrich's observations and conclusions should be nullified by its *ad hominem* assault. Dietrich's primary complaint, though, will resonate with anyone who assumes that an international health organization's resources should be primarily aimed at the direct control and eradication of infectious diseases, rather than at behavior modification programs concerned with such matters as seatbelts and smoking.

But WHO's agenda is more ambitious than merely bringing medical care to the world's disadvantaged. Health, in a definition the group adopted over 20 years ago, is "a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity." That is a totalist vision, and an alarming one. Armed with a bureaucrat's mentality, an arsenal of questionable data and conclusions, and a billion dollars in taxpayer money donated by governments around the world, WHO's goal seems not so much to bring the world "health" as a physical condition as it is to bring the world under the control of the international mavens of "public health," the sociopolitical discipline.

But WHO is more an organization fighting for its life than one fighting for real power. As curable infectious diseases become a less significant factor in world mortality rates, WHO's budget has stagnated at around $1 billion a year for nearly a decade now. Various other huge bureaucracies—such as the U.S. Centers for Disease Control and the World Bank, whose budget on international health matters is slightly higher than WHO's—have poached on its turf.

Why, to borrow Paul Dietrich's question, is WHO concerned with seatbelts and smoking when the world's poor are still dying of measles and tuberculosis? Public choice analysis—which presumes that government agencies, like their private-sector counterparts, seek to grow their market share—suggests an answer: Since the WHO's funding is mostly from First World governments, making them its relevant "customer base," it caters to First World concerns. WHO's recent history has been a vivid example of bureaucratic mission creep. In expanding its purview far beyond the merely medical, WHO is trying to stave off extinction.

Amazing Journey

War, the radical journalist Randolph Bourne wrote, is the health of the state. Bourne meant that war creates a sense of crisis and embattlement, making citizens ready to cede their liberty to gain a sense of security.

But governments continually seek new excuses to expand their authority. Nearly a century after Bourne wrote his famous words, risk protection has become a central mission for governmental bodies. As Sheldon Richman, editor of the libertarian journal *Ideas on Liberty*, has put it, *health* is now the health of the state. Richman's observation deserves to be carved in marble in the plush Geneva offices of WHO.

WHO was founded in the wake of World War II, in a wave of optimism over the ability of international bureaucracies to create and direct a safe and sane world. With its mission concentrated on managing or eradicating infectious diseases worldwide, the group had some notable successes and some near-successes. It helped coordinate the international effort to eliminate smallpox, officially vanquished as of 1977. A WHO document uses clotted official prose to describe the group's role in the smallpox battle. WHO says its contribution was in "its energy and prestige as a catalyser of global efforts bringing together scientists, governments, health workers, and ordinary citizens," and that "technical difficulties...were overcome through prompt WHO-coordinated research." The group also stressed the importance of "its neutrality and independence of national rivalries and suspicions."

WHO also played a major coordinating role in controlling yaws in the late 1940s and onchocerciasis ("river blindness"), leprosy, and polio in the past three decades. A WHO-organized Malaria Eradication Program in the '60s made substantial progress in stemming that disease. As late as 1964, WHO publications expressed optimism that malaria would be wiped out. Alas, malaria resisted eradication and the disease still kills over 1 million people a year. (The demonization of the U.S.-banned pesticide DDT, the cheapest and most efficient tool for killing the mosquitoes that spread the disease, bears a large part of the blame for the continued death toll.)

WHO's main success story remains its role in eradicating smallpox. Sometimes, though, it seems to believe the world will be impressed with the sort of thing that really occupies it these

In a world still fighting infectious disease, WHO has issued statements, studies, and reports on such topics as blood clots in people who sit still on airplanes too long and helping people remain active while aging.

days. One WHO propaganda book lists five things we'd be missing in "A World Without WHO"—presumably what it considers its most important achievements. None of them had to do with curing a single disease in a single person. Instead, they aver that in "a world without WHO...national health officials would not be able to count on global moral support in their battle against tobacco addiction," and "there would be no unifying moral and technical force to galvanize, guide and support countries in achieving health for all by the year 2000."

By the end of the 1970s, WHO's official rhetoric about its core purpose began to shift from simple disease eradication. In 1978, at a joint meeting of WHO and UNICEF in Kazakhstan, in the former Soviet Union, WHO adopted "World Health for All by 2000" as its goal. This conclave of international bureaucrats vowed that, by the close of the 20th century, "All governments will have assumed overall responsibility for the health of their people...through influencing lifestyles and controlling the physical and psychosocial environment." An "equitable distribution of health reserves, both among countries and within countries...is therefore fundamental to the strategy." This plan was "part of that fundamental reorganization of human relationships in the world through the search for a New International Economic Order."

Meet the New Boss

By the mid-1990s, WHO was mired in what the *British Medical Journal* called "a morass of petty corruption and ineffective bureaucracy." Under Director General Hiroshi Nakajima, a Japanese pharmacologist, WHO was so widely understood to be mired in cronyism and financial irregularities that such longtime boosters as Denmark and Sweden slashed their contributions; even the group's official auditor resigned in disgust. Nakajima's prominent position was important to Japanese self-esteem, so Japan embarked on a campaign in 1993 to make sure he was re-elected to a second five-year term. Among other gambits, the Maldives and Jamaica were warned that Japan would stop importing anything from them if Nakajima didn't get their vote.

Nakajima got his second term, but in 1998, with WHO morale and reputation at an all-time low, he was replaced by Gro Harlem Brundtland. With a masters in public health, Brundtland had spent most of her career as a politician, serving three terms as prime minister of Norway. She had also founded and led the UN's World Commission on Environment and Development. As WHO's new head, she promptly announced such vital-to-health goals as ensuring that six of every 10 new hires would be women.

In a world still fighting infectious disease, Brundtland's WHO has issued statements, studies, and reports on such topics as blood clots in people who sit still on airplanes too long, helping people remain active while aging, the hazards of using cell phones while driving, the importance of debt relief for poor countries, how tobacco is "a major obstacle to children's rights," and rates of alcohol abuse among European teens. *The Lancet*, the respected British medical journal, summed up her priorities thusly: "Brundtland has so far set out a conspicuously political agenda: her targets are poverty, underdevelopment, and social inequality."

To her credit, she has tried to reduce the amount of money spent at WHO's posh headquarters. She has succeeded in lowering her own annual office expenses by $4 million over the next two fiscal years. She has also moved malaria control back near the top of the group's agenda.

Not to her credit, she has continued WHO's turn from

combating disease in its traditional—and curable—definition of infectious biological entities to an agenda of social control meant to stop people from indulging in freely chosen, if risky, pleasures.

Hence, when Brundtland launched two "cabinet-level" priorities, one was a "Tobacco-Free Initiative" that now costs $14 million a year. (Malaria control is the other.) What does WHO expect to accomplish in aiming its resources and rhetoric at tobacco smoking? In characteristically vague WHO language, the initiative is meant to "galvanize global support for evidence-based tobacco control policies," to "accelerate...strategic planning," and to "integrate tobacco into the broader agenda."

More specifically, the initiative's goal is to browbeat member nations into banning cigarette advertising and massively increasing cigarette taxes (never mind that such a policy may lead to black markets and attendant criminality). Backing WHO on this are several major pharmaceutical companies that have traditionally been enemies of the organization, which has long criticized what it considered the companies' brutal hegemony over poor nations. The pharmaceutical companies are thrilled that an international agreement might create an enforced market for non-smoking nicotine delivery devices, allowing drug makers to rip a chunk of the nicotine market from the grip of the tobacco barons.

In its war on tobacco, WHO has attempted Orwellian moves of almost absurd incompetence. In 1998, for instance, the group was supposed to release an enormous 10-year study on second-hand smoke's links with lung cancer, the largest ever done in Europe. A small mention of it was printed in a WHO report before the whole study was available. The British *Sunday Telegraph* tried to get a copy of the study, since the brief reference intriguingly implied that it could not find a statistically significant link between second-hand smoke exposure and lung cancer. The *Telegraph* implied that WHO was trying to bury the report since its results went against their official anti-tobacco stance.

WHO and other anti-tobacco groups were outraged. One group, Action on Smoking and Health, filed an official complaint with Britain's Press Complaints Commission over the supposedly erroneous reporting. (The commission found in the *Telegraph*'s favor.) WHO responded to reports that its study did not find a statistically significant link between second-hand smoke and lung cancer in a press release headlined, "Passive Smoking Does Cause Lung Cancer, Do Not Let Them Fool You"—strange, strained language from a supposedly scientific organization.

Underneath that colorful headline, the press release states, in italics, that "*passive smoking causes lung cancer in non-smokers.*" Then, in the very next paragraph, it clarifies, "The study found that there was an estimated 16% increased risk of lung cancer among non-smoking spouses of smokers. For workplace exposure the estimated increase in risk was 17%. However, due to small sample size, neither increased risk was statistically significant." In other words, the *Telegraph* report was exactly correct: The study had found no statistically significant link between second-hand smoke and cancer.

As for the "suppressed" part, WHO insisted that the paper was merely being peer-reviewed, not hidden. Yet three years later, you'll still find no mention of the report on WHO's list of "Comprehensive Reports on Passive Smoking by Authoritative Scientific Bodies."

Is WHO a Bargain?

Treating the *behavior* of tobacco smoking as a "disease" that must be eradicated by international bureaucrats is bizarre enough. But WHO's full agenda of social control is even more starkly evident in documents surrounding one of their biggest research projects of the 1990s. The project was done in collaboration with the Harvard School of Public Health. (WHO is almost never the sole element in any of its programs.) It was a study on the "Global Burden of Disease and Injury," an attempt to calculate out to the year 2020 what will be the major causes of ill health and death all over the world.

The document is essentially an extended *cri de coeur* to the world not to let WHO fade away, even as infectious diseases shrink in global significance. (Strangely, WHO has never been a leader in the fight against AIDS, the most-discussed infectious disease of the past 20 years; the group has been relegated to simply one bureaucratic partner, along with the World Bank, UNICEF, and others, in the umbrella program UNAIDS.)

As a result of its embattled position, WHO has a skewed vision of medical progress. Most observers see the shift in leading causes of death—from communicable diseases such as smallpox and measles to noncommunicable ones such as heart

To WHO, health systems are more important than health outcomes. Its rhetoric sometimes acknowledges this, as in a WHO document that avers its activities are aimed to "strengthen the health sector at a country level."

disease and cancer—as a sign of success. If everyone has to die, better that it should come from being too fat or too old. The shift from communicable to noncommunicable diseases as causes of death reflects general increases in wealth and lifespan. But for WHO, such progress is life-threatening to its own organization.

In the "Global Burden" summary document, WHO admits that its entire 10-volume edifice of quantification is built on a foundation of sand. It claims to be calculating what will end the most lives worldwide by 2020. Yet it admits, "In many countries, even the most basic data—the number of deaths from particular causes each year—are not available." Further, "estimates of numbers killed or affected by particular conditions or diseases may be exaggerated beyond their demographically plausible limits by well-intentioned epidemiologists who also find themselves acting as advocates for the affected populations in competition for scarce resources. If the currently available epidemiological estimates for all conditions were right, some people in a given age group or region would have to die twice over to account for all the deaths that are claimed."

The study relied on a bit of numerical chicanery, originally developed by the World Bank: the "disability adjusted life year" (DALY). This is a complicated bit of scientism designed to quantify the effects of illnesses in terms of years of life lost. The DALY is based on the principle that a year living with certain conditions isn't *really* like a year of living. It allows WHO to make a big deal about "unipolar major depression," which it predicts will be the number two cause of "disease burden" by 2020, even though the ailment is not known to kill many people.

DALY is not objectively verifiable—WHO came up with its numbers by asking a bunch of health workers how much they thought certain ailments reduced the value of a year of their life. So now science has demonstrated that below-the-knee amputation is somewhere from 0.22 to 0.36 "severity weights" more terrible than vitiligo (the "whitening" disease famously suffered by Michael Jackson) on your face. A small group of people's raw opinions were transformed through WHO's alchemy into hard public-health science.

It is only through the DALY that WHO can weigh mental illnesses as high on their global burden of disease as they do. Emphasizing such illnesses—WHO claims that 16 percent of "years lost to disability" in sub-Saharan Africa are due to mental illness—fits in well with the group's totalist agenda. After all, treating such illnesses often requires doing things to the "patient" against his will. At a point in history when its rationale is thankfully diminishing, WHO is maniacally reinventing itself as the agency that might solve every problem that hurts or disables anyone. (They emphasize traffic accidents and injuries in this report, though it is uncertain what a health authority can do to stop them.) The shoddy numbers and tendentious definitions—smoking, drinking, and sex are all classified as "risk factors for disability or death," a rhetorical trick to disarm anyone who would defend someone's right to indulge in them—enable an agenda of massive social control.

Let's See Action

When reading WHO's reports, press releases, and other documents, one struggles to find non-abstract nouns and verbs representing actions a human being might need a body to perform. While infectious diseases are thankfully becoming a less significant cause of death globally, they do still kill at least 3 million children every year, so one might expect WHO's rhetoric to be dominated by talk of

inoculation and cure. Instead, one overwhelmingly finds talk of forming coalitions to manage and monitor systems that lay the groundwork for plans to coordinate actions to develop the knowledge and skills necessary to begin the process of forming coalitions, repeat as necessary.

WHO's 2000 annual report was dedicated not to improving health, but to improving health *systems*—a permanent task for bureaucracies. "Ultimate responsibility for the performance of a country's health system lies with government. The careful and responsible management of the well being of the population...is the very essence of good government. The health of people is always a national priority: government responsibility for it is continuous and permanent," Director General Brundtland wrote in her introduction. This emphasis fits perfectly with WHO's love of the bureaucratic and managerial, as opposed to the medical and action-oriented. (Unsurprisingly, WHO ignores the findings of health economists that health care systems *qua* health care systems don't appear to account for more than a handful of the years of additional lifespan that human beings have gained on average in the past century.) Given the group's agenda, it's no shock that the portion of WHO's budget dedicated to communicable disease prevention, eradication, and control is set to fall by $30 million over the next two fiscal years.

To WHO, health systems are more important than health outcomes. Its rhetoric sometimes acknowledges this, as in a WHO document that avers its activities are aimed to "strengthen the health sector at a country level." And the health of WHO's own system might be the most important thing of all. An analysis of WHO's 1994-95 budget, done by economists Richard Wagner and Robert Tollison, found that WHO spending on meetings and its executive board equaled its spending on immunizations, tuberculosis, and diarrheal diseases combined. (A more recent analysis of spending on bureaucracy vs. programs would be harder to do, since WHO's official budget figures are now broken down only in terms of countries and disease clusters, not what the money is actually spent on. Given that, there's no way to know whether money is spent on, say, a conference dedicated to discussing a disease or actually going into the field to treat it.)

WHO's obsession with system over result can also be seen in the fact that, although the U.S. populace is in most respects healthier than that of Third World countries that try to centrally manage health care, WHO wants to eliminate fee-for-service medicine entirely.

If anything, WHO seems proud of the excessively bureaucratic nature of its work. It issues press releases celebrating its role as middleman between a pharmaceutical company donating needed drugs and the organization Doctors Without Borders, which actually goes into the field to administer them. WHO is an organization by and for bureaucrats and health ministers—for whom it provides jobs, fellowships, and chances to go to conferences in exotic vacation spots—not the world's sick. At its worst, it is an active proselytizer for aiming national and international health resources at things irrelevant to actually fighting disease. If the world wants a transnational organization funded from tax dollars to propagandize and nag us about our chosen behaviors, let them try to sell such a proposition openly.

WHO officials defend themselves against accusations of uselessness by stressing that healing the sick isn't really what they are all about. "We're a scientific agency," Dr. Anthony Piel, a former chief advisor to WHO's director general, told a British television reporter. Asked why they keep their headquarters in cushy, elegant, and quite healthy Geneva, Piel said, "We have looked into moving the WHO to other poorer countries... where the cost would be lower....But the last time we studied that we considered, for example, Yugoslavia, we considered Lebanon, Jordan, Tanzania, and Rwanda...." WHO seems to have a hard time thinking of any cheap place closer to real health problems that isn't a war zone.

WHO's flaws and misdirected ideology, however sinister their potential implications, are more a matter of bureaucratic turf-building and feather-bedding than a fiendishly executed world control agenda. Faced with the reality that as a science and research organization they are more of a clearinghouse; that as an international researcher and advisor on health matters they often take second place to the World Bank (WHO's own reports are far more likely to cite substantive research done by the World Bank than any of its own original work, of which there is very little); and that in their First World-oriented agenda they are merely another bureaucratic layer echoing already existing national health ministries and the initiatives of other non-governmental organizations and international bureaucracies,

WHO is an organization by and for bureaucrats and health ministers—for whom it provides jobs, fellowships, and chances to go to conferences in exotic vacation spots—not the world's sick.

WHO is scrambling frantically for its life. But it needn't worry too much. Bureaucracies, once created, almost never leave the stage, as their own will to live energizes them to a degree that surpasses their opponents' interest in eliminating them.

Nothing condemns WHO's current agenda more than some of its own pronouncements. In a 1999 press release, WHO declared that six illnesses accounted for 90 percent of all infectious disease deaths among people under 44 years old: malaria, tuberculosis, measles, diarrheal diseases, acute respiratory infections (including pneumonia), and AIDS. The same press release declared that "the tools to prevent deaths from each of these six diseases now cost under $20 per person at risk, and in most cases under $0.35. Yet these diseases still caused over 11 million deaths in 1998."

Leaving aside the questionable belief that existing AIDS therapies, still mired in uncertainty, are reliable "tools to prevent death," we have WHO declaring that 11 million deaths—90 percent of all infectious disease deaths for people under 44 years old—could have been easily prevented with an expenditure of, at its lowest, $3.9 million, and at its highest, $220 million. That is, anywhere from 0.4 percent to 20 percent of WHO's budget for *one year*.

Wagner and Tollison's analysis of WHO's budget in the mid-'90s found the group's spending heavily weighted toward conferences and headquarters expenses and away from actual on-the-ground aid in disease-fighting. They noted 70 percent of the budget then went to administrative overhead and the Geneva headquarters. In 1995, Tollison observed on British TV that "the World Health Organization is famous for its conferences, but I think that any ordinary person complying with a decision to spend on those conferences or to spend on senior executives in Geneva versus looking at real public health problems in the field, where little children are dying for want of a shot, I don't think anybody would make any other decision than to say, get the resources out of Geneva, quit having the conferences. Inoculate those children."

But as Paul Dietrich first began to realize over 15 years ago in the hot Mozambique sun, buckle-up billboards—along with phantom studies on second-hand smoke and warnings about driving while talking on cell phones—are higher priorities to the public-health mandarins in Geneva. In pursuit of perpetual bureaucratic life, WHO has changed its mission from eradicating disease to a lunatic bid for never-ending social control. In a strange way, in extending its own life, WHO has rendered itself moribund.

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Virtual Warriors

Nostalgia, the battlefield, and boomer cinema

Michael Valdez Moses

WHEN IMAGES OF the attacks on the World Trade Center and the Pentagon were first broadcast, American journalists almost immediately invoked the surprise attack on Pearl Harbor. Even as that analogy became standard rhetoric of political commentary, the Bush administration altered its characterization of the events, eschewing an early preference for terms such as "terrorist" or "criminal acts" in favor of saying America had witnessed "an act of war." Yet while a country feeding on electronic images of the carnage called for a vigorous military response, wary studio executives scrambled to cancel or postpone television programming and movie releases suddenly deemed inappropriate or insensitive.

The premiere of a new Schwarzenegger film about terrorism was put on hold, the broadcast of the mini-series *Band of Brothers* was interrupted for a week, and a rerun of an *X-Files* episode featuring the terrorist bombing of a bank patronized by FBI agents was cancelled. Overnight, the real terror of history had displaced (at least temporarily) the manufactured variety, and the prospect of a new kind of military conflict of incalculable dimensions and uncertain outcome crowded out the simulacra of war, violence, and bloodshed that are a staple of the entertainment industry.

One of the striking features of the cultural environment in which the events of September 11 exploded has been a burgeoning fascination with war, specifically with World War II. Since the release in 1998 of Steven Spielberg's *Saving Private Ryan*, America's theaters have been crowded with major motion pictures devoted to that war. *The Thin Red Line* (1998), *Enemy at the Gates* (2001), *Pearl Harbor* (2001), and *Captain Corelli's Mandolin* (2001) are soon to be followed by *Windtalkers*, the story of the WW II Navajo codetalkers, slated to open in early 2002. For those who cannot wait, HBO's *Band of Brothers*, based on Stephen Ambrose's book, is back.

Programs on the second world war are featured so regularly on the History Channel that wags commonly call it "The Hitler Channel." Since September, the History Book Club, which has always carried a long list of World War II titles, has barraged its subscribers with new books about Pearl Harbor, Iwo Jima, Omaha Beach, and the German army.

Meanwhile, Hampton Sides' *Ghost Soldiers* has climbed the *New York Times* bestseller list, and Tom Brokaw's *An Album of Memories: Personal Histories from the Greatest Generation*—his sequel to *The Greatest Generation*—can be found in every airport. Stephen Ambrose, a talented writer of considerable range, might well have made an entire career out of the books he's penned on the war: new hardback copies of *Band of Brothers* (originally published in 1992) are currently billeting in the major bookstores alongside his *The Wild Blue: The Men and Boys Who Flew the B24s Over Germany* and *The Victors—Eisenhower and His Boys: The Men of World War II*. It is not overstating matters to claim that for the last three years we have been awash with World War II reminiscences and cultural memorabilia the extent of which we haven't experienced since before the Vietnam War.

Why now? How do we explain the current resurgence of interest in the second world war at a time when the last surviving veterans of the conflict are passing away? The producers and executives of Hollywood, to say nothing of its screenwriters, are more likely to belong to the baby boom generation (or even Generation X) than to "the greatest generation." In fact, many members of the target audience for *Pearl Harbor* or *Enemy at the Gates* are young enough to be the grandchildren or great-grandchildren of the vets who took up arms nearly 60 years ago. Why should they be so

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eager to weep for the dead of Pearl Harbor or Stalingrad?

Unlikely as it may seem, the 19th century novelist Sir Walter Scott might provide us with a clue. Scott was one of the most famous writers of his age, and his reputation rested in large measure on his popularizing a new sort of literary work: the historical novel. Although American readers are more likely to know Scott's medieval tale *Ivanhoe*, it was the 1814 publication of his first historical novel, *Waverley*, that established an international craze for historical fiction.

Significantly, Scott subtitled that work *'Tis Sixty Years Hence*, a reference to the 1745 Jacobite rebellion of Bonnie Prince Charlie and the vain attempt to reclaim the British throne for the Stuarts. What 60 years before had been an immensely controversial political event that deeply divided public opinion in Scotland (and greatly inflamed passions in England) had become by 1814 a purely historical event suitable for fictional treatment that would appeal to a diverse international audience. It was Scott's genius to recognize that a political event, especially one of great import, could best be transformed into fictional history precisely at the moment at which the living witnesses and participants of the event inevitably exited the scene. For all of his antiquarian attention to historical detail, Scott characteristically altered history for dramatic purposes. He offered a new and improved version of the past that championed his own bourgeois vision of the ideal political order, one characterized by peace, religious toleration, civility, moderation, commercial activity, individual freedom, and steadfast loyalty to God, king, and country.

Written at a time when the great political conflicts of Europe seemed momentarily at an end, Scott's historical novels looked back to the political and religious tumults of the past from what seemed the more secure and peaceful world of the late 1810s and 1820s. The lives of Scott's fictional heroes and heroines inevitably intersect with those of famous historical personages—Bonnie Prince Charlie, the Duke of Monmouth, Cromwell, Saladin—during a period of political crisis of far-reaching consequence: the Jacobite war of 1745, the Scottish religious wars and political rebellions of the 17th century, the English Civil War, the Crusades.

Scott's fictional protagonists are always "middling folk." These respectable, often prosperous and genteel characters with their "modern" middle-class mores appear anachronistic against the backdrop of historical epochs filled with violent religious fanatics, doomed aristocrats, deposed monarchs, wild romantic Highlanders, chivalric Christian knights, and Muslim warriors. But if Scott's fictional heroes seem to have been magically transported backward into time, they nonetheless fulfill an important narrative function by allowing Scott's readers to identify with the witnesses and minor actors in great historical events. Careful to appeal to the widest possible audience, Scott made certain that the stories he told offered a romantic hook; the resolution of the historical or political crisis is typically punctuated by the long-delayed and much anticipated union of Scott's fictional hero and heroine. Scott's formula is imitated to this day, especially in Hollywood.

Prior to the beginning of the present "War on Terror," in the post-Cold War era of the 1990s, writers, film

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producers, and the American public as a whole might be said to have found themselves in a historical lull comparable to that of Scott's readers in the 1820s. The United States in the 1990s seemed more peaceful and prosperous—and more self-satisfied and uninteresting—than the America of 30 or 60 years ago. The anxieties of having finally achieved cultural preeminence and political authority in uninteresting times seems to have particularly burdened the baby boomer generation.

If their youth was characterized by the turmoil of the Cold War, the nuclear threat, political assassinations, the civil rights movement, Watergate, and above all, the Vietnam War, such grand historical events were, with the possible exception of the civil rights struggle, resented or mourned rather than welcomed, forced upon a recalcitrant generation rather than passionately embraced in the manner with which their parents had greeted the epic challenge of World War II. At the moment that the first boomer was finally elected to the American presidency and his generation seemed at long last poised to determine the destiny of the nation, if not the world, the engine of history seemed to have stalled. The historical legacy of the boomers was not to be a new Camelot, of which they'd dreamed since their youth, but the Lewinsky White House. The great matter of the '90s was not a cause that would hallow any war, but the rancorous impeachment and Senate trial of a president whose most memorable acts were the proper subject of a fabliau rather than an epic.

In recent years, there has been a widespread and unfulfilled cultural yearning for a cause worth fighting for. The great majority—including the Big Boomer himself, Bill Clinton—had side-stepped or avoided the Vietnam War, rather than passionately engaging in it or opposing it. Clinton's "mixed emotions" on the events of September 11, as reported by Andrew Sullivan, reveal with shocking clarity the degree to which the ex-president nevertheless yearned for a historical cataclysm as a means to his own self-definition and glorification: "He [Clinton] has said there has to be a defining moment in a presidency that really makes a great presidency. He didn't have one."

The recent spate of World War II movies, books, and television programs has provided an ersatz means by which those anxieties, self-doubts, and recriminations—and, inevitably, the boomers' characteristic narcissism and self-justifications—could be expressed. Like Scott's historical novels, the films signaled an unfulfilled epic desire on the part of a generation that has felt itself diminished by comparison to the one that preceded it. They have, for better and worse, functioned as a means by which some influential boomers might, surreptitiously, assign themselves a central place, even an epic role, in a history that in fact did more to shape them than they it.

In an interview Spielberg granted when *Saving Private Ryan* was released, the director summed up his view of the great conflict. "I think it is the key—the turning point of the entire century. It was as simple as this: The century either was going to produce the baby boomers or it was not going to produce the baby boomers. World War II allowed my generation to exist." There you have it. The ultimate benefit, the highest justification and sanctification of the greatest, if not the bloodiest, war in human history: the birth of the baby boomers.

The World War II films of the last three years have been popular in part because they employ the most advanced special effects. The spectacular dimension of these films—the opening scenes on Omaha Beach in *Saving Private Ryan*, the scenes on the Volga in *Enemy at the Gates*, and the elaborate recreation of the Japanese surprise attack in *Pearl Harbor*—overwhelm the audience with visual and sonic power. No dialogue is necessary and little is supplied. In the age of the global audience, contemporary studio executives understand what their predecessors in the silent era surely appreciated: Visual spectacle and music cross borders easily.

Nonetheless, these films represent more than a triumph of special-effects technology. They also exhibit an impulse to remake the image of the generation that fought the second world war so as to flatter the values, beliefs, and mores of the baby boom generation. By reinventing their parents as an idealized version of themselves, the boomers have not so much memorialized the "greatest" generation as presented a glorified image of its successor.

Recent World War II epics have, a la Scott, allowed the boomers to dress up in their parents' vintage clothes and parade the dominant cultural and political ethos of the 1990s in the garb of the 1940s. In *Pearl Harbor*, the prevailing sexual mores of the 1990s, to some degree a cultural legacy of the 1960s, are peremptorily thrust back into the 1940s. Indeed, the film's main characters' casual embrace of premarital sexual relations is conveniently depicted as the inevitable result of a world crisis. If not for Hitler's

aerial assault on Britain, Lt. Evelyn Johnson (Kate Beckinsale) and Capt. Rafe McCawley (Ben Affleck) would not have to rush matters, nor would Evelyn have to console herself, not long after Rafe apparently perishes in the Battle of Britain, in the arms of her beloved's fellow flyboy and best friend, Capt. Danny Walker (Josh Hartnett). You don't like free love? Blame it on history. And if not for the fiendish Japanese bombardment of what looks more like a holiday paradise than a functioning naval base, an attack that precipitates a series of events culminating in the death of bachelor #2 (that's Danny) in faraway Manchuria, our poor heroine might never have been able to make up her mind.

Pearl Harbor is just your standard chick flick with vintage planes and heavy ordnance thrown in for effect.

Of course, all ends happily when Evelyn and Rafe are ultimately reunited, with daddy Capt. Rafe nobly adopting as his own the son Evelyn and Danny had enthusiastically conceived amid billowing satin parachutes in a conveniently vacant airplane hanger. (Pleased with the return to family values? Thank history.)

The basics of this tangled romantic plot might have been pulled wholesale out of a Scott novel such as *Old Mortality*, in which the heroine finally marries the hero when his rival and friend is conveniently killed off in the last skirmish of the Scottish religious wars of the 17th century, despite the hero's best efforts to save him. But whereas Scott seemed genuinely interested in Scotland's 17th-century religious politics, the makers of *Pearl Harbor*—screenwriter Randall Wallace of *Braveheart* fame (who likely knows his Scott) and director Michael Bay—seem interested in the war mainly as a backdrop to their 1990s romantic fable. If Scott personalized the political to make it more accessible, Bay and Wallace simply reduce the political to the personal and leave it there.

As my female companion at the screening described it, *Pearl Harbor* is just your standard chick flick with vintage planes and heavy ordnance thrown in for effect. But the film does deliver a message of sorts: The nontraditional neo-nuclear family of the 1990s, which embodies in the biogenetic diversity of its children the varied and liberated romantic pasts of its parents, is transferred to the 1940s, where it is comfortably situated within the American grain. Thus, in the final scene of the film, Evelyn, Rafe, and little Danny Walker Jr., back on the family farm in Tennessee (where Rafe grew up with his boyhood pal, Danny Sr.), are cinematically sanctified in a final visual tableau worthy of Norman Rockwell.

Other recent World War II films have served similar ends. In *Enemy at the Gates*, Vassili Zaitsev (Jude Law) is a talented young Russian sniper posted to besieged Stalingrad. He competes with his friend and patron Danilov (Joseph Fiennes), a propaganda officer working for the internal Russian security service under the command of Khrushchev (Bob Hoskins), for the affections of Tania (Rachel Weisz), a Russian-Jewish resistance fighter. Our young Russian hero must fight on two fronts. In addition to facing off against the top sniper in the German army (who comes to Stalingrad to pick off Vassili), he must worry about his friend Danilov picking off Tania.

Co-written and directed by the Frenchman Jean-Jacques Annaud—born in 1943, just ahead of the baby boom—the movie panders to the sizable American market despite its focus on a pivotal battle in which the U.S. played no significant role. Setting aside the question of the combat status of Russian women at Stalingrad, we might note that *Enemy at the Gates* reassures those worried about the fighting capabilities of a new unisex army. Women will, it seems, honorably take their place alongside their male counterparts on the front, even if they must assume a variety of uncomfortable postures when consorting with their beloved comrades-in-arms in crowded bunkers.

By encouraging a contemporary American and Western European audience to identify with its Russian heroes and heroines (much as Hollywood propaganda films of the early 1940s generated American and Western European sympathy for our Soviet allies), *Enemy at the Gates* clearly signals a post–Cold War realignment of political sympathies. The Russians are no longer our ideological and military foes, just patriotic individuals fighting for their homeland. Even Danilov, the propaganda officer, turns out to have ambivalent feelings toward the official Stalinist line that Khrushchev viciously enforces. Fascism turns out to be the one truly malignant force, for unlike even the most committed members of the Red Army, German officers are willing to kill children in cold blood.

Perhaps the most striking revisionism in *Enemy at the Gates* is its

transformation of one of the longest and bloodiest battles of World War II into a private duel between two superstar snipers that is most meaningfully played out in the Soviet (and presumably German) press. By keeping its audience in the dark concerning the military strategies and large-scale engagements that actually determined the fate of Stalingrad, focusing instead on Danilov's propaganda war, the film reduces the battle of Stalingrad to a media campaign. Though the decisive Russian military breakthrough came in November of 1942—prior to the "climactic" duel depicted in the film—*Enemy at the Gates* reflects a post-Vietnam sensibility that understands the "winning of hearts and minds" as the most important and strategically significant undertaking in any military conflict. Even at Stalingrad, image is everything.

Paraphrasing what André Gide once said of Victor Hugo, one might concede that Spielberg is, alas, the greatest director of war films in his generation. *Saving Private Ryan* is at once the best and most cunning of the recent World War II epics. It artfully disguises its revisionist aims by virtue of its scrupulous attention to the gritty and unsavory details of combat.

In his successful bid to one-up Darryl Zanuck's 1962 epic *The Longest Day,* Spielberg has dazzled civilian and military audiences (including D-Day veterans) with his uncompromising depiction of slaughter on the beaches of Normandy. Taking his cue from Francis Ford Coppola's *Apocalypse Now,* Oliver Stone's *Platoon,* and Stanley Kubrick's *Full Metal Jacket* (Spielberg has recently claimed to have channeled the spirit of the late auteur), he seems to have combined the graphic realism of the Vietnam film with the seemingly traditional patriotism of the World War II saga.

But it might be more accurate to say that Spielberg has reinterpreted the experience of the second world war in light of that of Vietnam. The result is an exoneration of the conduct of Spielberg's generation and a subtle diminishment of the heroism of that of his parents. For if the visual center of *Saving Private Ryan* is the assault on Omaha Beach, the narrative center, as the title of the film suggests, is the saving of a single private in the U.S. Army.

In their efforts to rescue Ryan (Matt Damon) from behind enemy lines, the small patrol led by Capt. John Miller (Tom Hanks) endures a series of harrowing confrontations with the enemy that have more in common with *Apocalypse Now* than with *The Longest Day*. Miller's troops quarrel relentlessly among themselves, pointedly call into question the very purpose of their mission, and even threaten to mutiny or desert before they've rescued Ryan.

The film ultimately revolves around scenes that ask whether the shooting of unarmed German prisoners by American GIs is morally justified. No doubt such things took place during World War II, but Spielberg breaks new ground in anchoring his narrative in this issue. Spielberg's greatest generation, in spite of its bravery and patriotism, acts in a manner more closely resembling that of American troops at My Lai than that of John Wayne in World War II epics of an earlier age.

However, Spielberg is careful not to give away the game too easily. The audience is made to question Capt. Miller's compassionate decision to release a German prisoner rather than have him summarily shot by vengeful and disgruntled GIs. In the film's final battle scene, it is this same German soldier who fatally wounds Capt. Miller, and it is the most ethically upright and law-abiding member of Miller's squadron who subsequently kills the German. (Spielberg also takes pains to depict American soldiers helping, if thereby unintentionally and unnecessarily endangering, French civilians caught in

Franzen's Folly
The novelist vs. high art's Dark Other

Charles Paul Freund

By now, you may have already forgotten Jonathan Franzen. Only last October, however, he was the most reviled author in America. In one of the few stories that managed to break through the bio-terror fog, Franzen became The Snob Who Dissed Oprah. Poor Franzen, that's as close to the role of Judas as the culture offers. But Franzen's real sin wasn't mere personal discourtesy. His crime was quite different: In his frenzy to remain within the sociological rules of writerly success, Franzen revealed the underpinnings of the literary game itself.

Here's what you know: Oprah Winfrey encourages her immense audience to read contemporary fiction. She picks a book, and features the author on her show; they have a televised dinner together. Oprah's endorsement sticker ("Oprah's Book Club") is slapped on the dust jacket. Reportedly, this process can result in huge sales—hundreds of thousands of copies—to people who would never otherwise have heard of the book. In September, Oprah picked Franzen's well-received third novel, *The Corrections* (already selling well), about the travails of a Midwestern family.

Oprah's authors are usually overjoyed to get lots of readers and much bigger royalties. Not

the crossfire of the Normandy invasion). Critics argue that Miller's GIs should have shot the unarmed German when they had the chance, that the brutal killing was, in the context of battle, the moral thing to do. Spielberg thus implicitly justifies the behavior of his generation in Vietnam by making the case for battlefield conduct unavoidably shaped by the brutality inherent in all war. But perhaps Spielberg also suggests that one reason that American soldiers in World War II have been more favorably portrayed in the popular media than their sons in Vietnam was that the former conveniently faced a truly evil enemy—German fascists and anti-Semites—rather than one about which liberal members of Spielbergs's generation have felt considerable ambivalence (Vietnamese communists).

Saving Private Ryan **also serves to** assuage the guilt of the Vietnam generation through another sleight of hand. If Miller's men are Vietnam-era soldiers dressed in World War II general issue, Pvt. Ryan nonetheless refuses an opportunity to avoid danger—an opportunity that so many members of the Clinton, Gore, Quayle, and Bush Jr. generation sought.

In the midst of a military conflict, Ryan is offered the chance to avoid combat, to go home, and to do so with the full approval of his government. Of course he refuses, and stays to fight alongside a new set of unfamiliar comrades whom he nonetheless will mourn and memorialize as an old man, accompanied by his loving wife, children, and grandchildren. Rather than functioning as an implicit criticism of Spielberg's generation, Ryan's choice serves, I would argue, as a kind of compensatory fantasy.

Ryan lives out (and also lives to reflect upon) an experience of war and national service that so many of Spielberg's fellow boomers were anxious to avoid. Spielberg offers a virtual salve to his audience and himself: If once more given Ryan's choice (and his good fortune to draw a truly diabolical opponent), he and his generation really would have served bravely, rather than demurred or objected, however conscientiously. Spielberg's narrative genius offers an apologia for his generation that in equal measure assuages guilt and glories in self-justification, if not self-heroization.

In his book *The Campaigns of Alexander*, the second century Greek historian Arrian records the visit of Alexander the Great to the tomb of Achilles at the ancient site of Troy. Alexander is supposed to have described Achilles as "a lucky man in that he had Homer to proclaim his deeds and preserve his memory." Alexander understood that even the greatest political and military feats do not speak for themselves, they become truly important, memorable, *historical*, only insofar as they are recorded, interpreted, and subsequently appreciated by an audience.

Alexander's comment thus acknowledges that the fate of the hero rests not entirely in his own hands, but also in those of the artist or historian. Arrian's (perhaps apocryphal) tale casts much light on the murkier recesses of the cultural psyche of the boomers.

The boomer generation might well have been the first raised in an era in which history manifested itself primarily and most powerfully through the medium of the silver screen. Having come upon the stage of history too belatedly to fight World War II, the cultural elite of the boomer generation could nonetheless make movies about it. Or to be more precise, they could remake and revise the WW II films of their youth. For in a crucial respect, the WW II films of the '90s ultimately have less to do with the second world war per se than with earlier cinematic representations of the event.

The real (though invisible) antagonist of recent WW II films is not so much the German fascist or the Japanese imperialist as the specter of John Wayne, the larger-than-life self-image of "the greatest generation." Just as the epic deeds of Achilles in Homer's Iliad inflamed the envy and hubris of Alexander the Great, so too have the cinematic images of the Duke's heroic feats fed the jealousy and stoked the historical ambitions of the boomers.

The baby boom generation, for better or worse, is the first fully committed to the view that to control the visual representation of history is to control history itself, and thereby one's own destiny. This is a cultural reality that, for all of his anti-modern religious enthusiasm, even the malign director of the spectacular attacks of September 11 fully appreciates. ◻

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Napster for Novels?

Not even pirates like e-books

Mike Godwin

Is the American book publishing industry headed for its own Napster crisis? To judge from a recent report from Envisional Ltd., a British digital rights management company, Napster-like online trading of bestsellers may be accelerating even as the industry's own efforts to get a digital product out the door are slowing to a crawl. Paradoxically, publishers' fear of a Napster scenario—thousands of users trading copyrighted works over the Internet without a dime going to authors or publishers—may bring that very scenario about.

Publishers fear a Napster scenario—thousands of users trading copyrighted works over the Internet without a dime going to authors or publishers.

The original Napster crisis was instructive: While music companies dithered about how best to distribute their intellectual property to consumers over the Internet, an entrepreneurial programmer named Shawn Fanning created a networked system for trading music online. The resulting product and service, Napster, exploded onto the national scene, with millions of users trading thousands of compressed digital music files in the MP3 format. The music companies were forced to respond, and they did so quickly—not by getting their own product to market, but by suing Napster and similar upstart companies into the ground. As it stands today, Napster is moribund (though Audiogalaxy and other rivals are still flourishing); the music companies say they plan to roll out digital distribution systems soon, but consumers are still waiting to see a new paradigm that they like.

Similarly, in recent years American publishers have been quick to embrace the concept of "e-books"—digital editions of books that can be read on computers, handheld devices, or special e-book readers—but slow to find or exploit a market for the product. Not least of publishers' concerns has been the perceived need for software makers to prevent would-be pirates from making endless and perfect copies of the original.

But while publishers have been handwringing over the prospect that their e-books will be pirated, Internet-based book pirates have sidestepped e-books altogether, choosing instead to scan the text of traditional paper editions and make the results available on the Internet, often through Napster-like file-sharing services. In an exhaustive August survey, Envisional Ltd. claimed that as many as 7,300 paper editions of popular books have been scanned and made available on the Internet through distributed file-sharing services such as Gnutella. Among the most commonly traded books are titles from bestselling authors such as Stephen King, Tom Clancy, J.K. Rowling, and J.R.R. Tolkien.

Does the Envisional survey mean that book piracy on the Net has taken off, much the way that sharing of MP3 music files did two years ago? No one has a clear answer to that question. Harriet Dorsen, general counsel of Random House, Inc., remains unpanicked by the Envisional report, since "at the moment there doesn't seem to be much of a market for reading books electronically."

Dorsen was alluding to a *New York Times* story last summer that called into question earlier predictions that e-books might make up 10 percent of the book-publishing market as early as 2005. Those predictions, made by the consulting firm now known as Accenture (a spinoff of the Arthur Andersen accounting firm) seem overoptimistic now. To be fair, Accenture

Franzen. He started giving interviews in which he sounded pretty sour about the whole thing. Franzen singled out the Oprah sticker for his dyspepsia. "I know it says Oprah's Book Club," he told one interviewer, "but it's an implied endorsement, both for me and for her. The reason I got into this business is because I'm an independent writer, and I didn't want that corporate logo on my book." He made it clear that the Oprah thing just didn't fit into his self-image as an artist working in the "high-art literary tradition." Winfrey soon cancelled the dinner taping, and the public excoriation of Franzen began.

Why would Franzen do such a thing? Is he just an intolerable snob? Maybe, but that doesn't matter. Lots of writers are snobs. What matters is that he realizes that his natural literary community—the "high-art literary" club of readers, critics, publishers, "independent" book sellers, etc.—is built on various sorts of snobbishness, especially the snobbery of "taste." This is no secret; literally everybody who pays attention to books knows it. Franzen, however, committed an unpardonable crime: He said so out loud.

Franzen's lament about the book-club sticker is the quickest point of entry into the world of taste hypocrisy. He complained that having such a "corporate logo" on his book was a threat to his role as "an independent writer." But the surest way to writerly independence »

spokesman Alex Pachetti is quick to point out that the original, bullish prediction was contingent on a number of technological advances, including cheaper e-book readers and secure anti-piracy measures, that haven't taken place yet.

In spite of the disillusionment some publishers now feel about whether there will be a significant market for e-books in the near future, the American Association of Publishers is adamant about the need to advance e-book anti-piracy technologies, and to use the Digital Millennium Copyright Act (DMCA) to prosecute those who develop means of circumventing such technologies.

On Aug. 28, the same day that the *Times* published its disheartening assessment of the current e-book market, a federal grand jury indicted the Russian company Elcomsoft Co. Ltd. and previously jailed programmer Dmitry Sklyarov on charges of trafficking and conspiracy to traffic in a copyright circumvention device. Under the five-count indictment, Sklyarov, who at press time is out on $50,000 bail, could face a prison term of up to 25 years and a $2,250,000 fine. As a corporation, Elcomsoft faces a potential $2,500,000 fine.

But book industry watchers wonder whether the focus on e-books and related anti-piracy technologies is misconceived, given that more than 7,000 traditional books have already been transferred in unprotected form to the Internet. "The fox is already in the henhouse," says one New York copyright lawyer who asked not to be named, adding that "e-book technology is more or less irrelevant" to the larger question of international book piracy, which already has gone digital.

The American Association of Publishers, while applauding the prosecution of Sklyarov and the Russian company that employs him, may in practice give more attention to traditional book piracy. The trade group more than doubled its funding of anti-piracy efforts in 2001, to more than $400,000. The group estimates that about $8 billion in pirated American-published books were sold or traded last year.

According to Random House's Dorsen, traditional book piracy, which predates the Internet but is easily facilitated by it, is "something that everybody takes extremely seriously," but adds that at some point the e-book market will be "more substantial" as a subject of piracy concerns. Dorsen says this explains the proactive measures American publishers are taking with the DMCA—not just encouraging the Sklyarov prosecution but also invoking the DMCA's notice-and-takedown provisions to force Internet Service Providers to remove infringing texts that ISP subscribers may be offering.

In the short term, one prediction —increasing piracy of scanner-produced e-books—seems safe. Even such doorstop tomes as Stephen King's *The Stand* and Tom Clancy's *Red Storm Rising* can be scanned and posted on the Internet in files ranging from 2 to 3 megabytes in size. That's smaller than the average MP3 music file.

Not impossibly, given the small size of scanned-book files, a brisk collective-trading phenomenon could arise using existing file-trading systems such as Gnutella or Freenet. But the thing that may be giving publishers some breathing room is the fact that the reading public has not yet shown any deep interest in obtaining books in digital form online. Publishers hope to get the wrinkles ironed out of their e-book systems before it becomes trivially easy for computer users to adapt scanned texts into attractive, readable forms for their laptops and handheld devices. Assuming, that is, that reading books from screens ever becomes popular at all.

But if the publishers don't win that race, it may be Napster all over again. ◻

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A Splendid Little Drug War

Tragedy, farce, and fake brass cojones south of the border

Glenn Garvin

Killing Pablo: The Hunt for the World's Greatest Outlaw, by Mark Bowden, New York: Atlantic Monthly Press, 295 pages, $25

Shooting the Moon: The True Story of an American Manhunt Unlike Any Other, Ever, by David Harris, Boston: Little, Brown, 394 pages, $26.95

Two new books illuminate the growing ugliness of a War on Drugs that is rapidly losing its metaphorical status. Alas, the main revelation of David Harris' account of Washington's confrontation with Manuel Noriega's Panamanian mafiacracy is that the '60s left's alleged anti-imperialism was strictly situational. As long as no communists get killed, old New Lefties can be the most enthusiastic cheerleaders for unleashing the U.S. military against foreign narcotraffickers. (The fact that their own butts are no longer in danger of getting shot off, I suspect, is also relevant.)

Harris was among the most famous members of the anti-war movement of the Vietnam era, and he paid the price for it. At Stanford, fraternity boys jumped him and shaved his head; after graduation, he went to prison for refusing to register for the draft. (Admittedly there were compensations; Harris became a Hippie Chick Magnet and even got to boink Joan Baez.) That makes his loud applause for the fanatic cops and prosecutors who goaded the Bush administration into invading Panama all the more appalling. Of the half-dozen or so books published over the past decade detailing the build-up to the invasion, *Shooting the Moon* is by far the most gung-ho.

To hear Harris tell it, Panama is a simple postmodern cop thriller: Noriega the Pusher was protected by his buddies at the CIA and Pentagon, who admired his fascism, until a handful of gumshoes in Miami brought him down through simple hard police work.

The real story was considerably more complex. In two decades of covering Latin America, I've yet to speak to a single U.S. official who

STAY AWAY FROM DRUGS, kids. They'll suck every filament of moral fiber from your soul and set your brain afire with insane delusions. In the end you'll be murdering, kidnapping, and torturing, and you'll be rationalizing it all for the sake of the drugs. Don't believe me? Just look at what drugs have done to the U.S. government.

George Bush I invaded Panama, burning down entire neighborhoods of the capital and killing hundreds of people, to collar a single two-bit narcotrafficker. The Clinton administration embarked on a nutty $1.5 billion intervention in Colombia's civil war—not because the guerrillas there are Stalinist butchers, but because they sell cocaine. And when the Central Intelligence Agency (CIA) mistook a plane full of American missionaries for drug runners and helped the Peruvian air force shoot it down, George Bush II administration officials, sounding eerily like Soviet apparatchiks explaining how that damn Korean airliner had only itself to blame, snapped that the missionaries should have filed a better flight plan.

In some ways, this reefer madness is not exactly news. Drug policy has been inducing dementia in U.S. social policies for nearly a century (though Clinton's drug czar Barry McCaffrey plumbed new depths when he argued that letting dying cancer patients smoke marijuana would just turn them into addicts). But it was only recently, after the end of the Cold War, that we began letting the vice squad run foreign policy. Faster and faster, the national security state is evolving into the narcosecurity state, which promises to be even more ruthless.

is a big readership and a well-known name, which is exactly what Winfrey was offering him. What the book-club logo threatened was not Franzen's non-existent "independence"; it threatened to obscure the significance of the real corporate logo on his dust jacket, that of his publisher, Farrar, Strauss & Giroux.

Farrar, Strauss is a "literary" imprint. Its logo is a sign to buyers, critics, sellers, and others that a book is intended for the "literary" market. Indeed, it's a major insignia of the "good taste" niche, which it shares with such imprints as Alfred A. Knopf.

But is it also a "corporate logo"? You bet it is. Farrar, Strauss is owned by the Holtzbrinck Group, which also owns Henry Holt & Co., numerous U.S. textbook publishers, magazines such as *Scientific American*, and many European properties including Macmillan UK, *Nature* magazine, Spektrum Books, S. Fischer Verlag, Droemer Verlag, Rowohlt Verlag, and the investment newspaper *Handlesblatt*. In other words, the imprint is part of a vastly bigger and no doubt far more dehumanized corporate structure than is Oprah's Book Club, which is more an idea than a holding company like Holtzbrinck.

But that's the problem: Oprah is the wrong idea. Oprah is about daytime TV viewers who know every soap-opera subplot but could not care less about the signification of the Farrar, Strauss logo. Those are the »

defended Noriega. They all thought he was a liar, a brute, and a sleazeball. Sure, he provided good intelligence on his trading partners in Havana, but he was also a double-dealer who was passing Fidel Castro who-knew-how-many secrets of ours. Worse yet, by early 1986, virtually everyone in the U.S. government who paid attention to Latin America was seriously worried that his schoolyard-bully government was going to trigger a leftist insurrection that would jeopardize the security of the Panama Canal.

The problem was, what could you do about it? Panama was not exactly brimming with democratic traditions. The most popular politician in the country was Arnulfo Arias, an anti-Semite who openly sympathized with Hitler during World War II and who, during one of his three abortive presidencies, rewrote the Panamanian constitution to call for the deportation of its entire black population. (His widow, Mireya Moscoso, was elected president in 1999. "Dr. Arias has been misunderstood," she told me. "It's just that these men came to Panama from the West Indies and then they didn't send home money to their families. Dr. Arias wanted them to go home so they would support their wives and children. It was a pro-family policy.")

There simply weren't any good options in Panama. So first the Reagan and then the Bush I administration lurched along, looking for either a coherent political movement or, failing that, a nicer military faction to support, while simultaneously leaning on Noriega to behave himself. Nothing worked, least of all the pressure on the general, who seemed to become ever more flaky as the crisis developed. By the end, Noriega was making speeches where he smashed furniture with machetes and pounded his chest, shrieking that he was all that stood between the gringos and their dream of the complete plunder and rapine of Latin America. One of the few really instructive bits in *Shooting the Moon* is when Harris recounts a conversation between Noriega and a couple of U.S. marshals who befriended him after his jailing in Miami. What were you *thinking*? asks one of the marshals. Replies a sheepish Noriega: "I guess I fucked up."

He picked a bad time for it, going round the bend just as a handful of fanatic Drug Enforcement Administration (DEA) agents and federal prosecutors got wind of some cocaine flights coming through Panama. Say what you will about the State Department, the Pentagon, the CIA, and the rest of the U.S. government—and certainly there is much to criticize in the way they dealt with the Noriega problem—at least their worldview went beyond old episodes of *Hawaii Five-O*. They understood that when you're dealing with a guy who has his own army and controls the Panama Canal, it's a little more complicated than barking, "Book 'em, Danno."

The cops suffered under no such intellectual restraints. There was a war on drugs, that's what they'd heard, and they were going to fight it. Their attitude can be summed up fairly in the words that Harris admiringly quotes from Kenny Kennedy, the No. 2 man in the DEA's Miami office: "The taxpayers hired me to put fuckin' dope peddlers in jail, and that's what I do." Yup, that's the kind of guy we want dictating U.S. foreign policy.

Or at least Harris does. He ridi-

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cules the Reagan officials who complained that fighting communism in Central America might be more important than eliminating a single cocaine smuggling route. (That's all Panama was, a transshipment point that the Colombian cocaine cartels could and did map around when it was eventually shut down.) He sympathizes with the federal prosecutor who complains bitterly that Washington won't twist Spain's arm for the extradition of a Colombian narcotrafficker because it might mean the loss of all U.S. air bases in Spain. Basically, he agrees that no price is too high to pay to fight drugs.

By murdering cab drivers and housemaids, the American government sought to civilize Colombia.

And in the end, that's the situation that developed. The single-minded agenda of the cops pushed aside everything else, the dithering State Department policy makers and the Pentagon's caution and any number of White House officials who knew better but were crippled by allegations of involvement in other scandals like Wedtech or Iran-contra and were afraid to say no for fear they would be accused of quashing a dope case. At a cost of hundreds of millions of dollars and hundreds of lives—the majority of them civilian bystanders—the United States invaded Panama to arrest Manuel Noriega.

As it turned out, Kenny Kennedy's claim that he didn't go for "no sweetheart deals and that kinda shit" was, like so much drug-cop talk, merely the clanking of phony brass balls. To convict Noriega, the strike force had to make a flurry of deals with other accused narcotraffickers, bargaining a collective 1,435 years in prison down to 81. And by the time Noriega went on trial, official U.S. estimates of the cocaine flowing through Panama were higher than ever. Some victory!

We may get another crack at it. Cuban-American organizations in Miami are spending millions right now to lobby prosecutors to indict Fidel Castro for murder for sending his MiGs to shoot down a couple of little unarmed exile planes patrolling the waters off Cuba in 1996, looking for rafters. Thus far the exiles have had no luck pressing their case. Sooner or later, though, it will occur to them that the drug issue is more potent.

Compared to the invasion of Panama, *Killing Pablo*, the tale of how the U.S. government used a death squad to hunt down and murder Colombian drug traffickers, is probably just a footnote in the story of official counternarcotics mayhem. But what a footnote!

In brisk prose and compelling detail, *Philadelphia Inquirer* reporter Mark Bowden (who chronicled U.S. military misadventures in Somalia in *Black Hawk Down*) documents the murderous impulse that lies at the heart of U.S. counternarcotics programs in Latin America. Down there among the little brown people, freed of the nettlesome constraints of meddling judges and pesky American Civil Liberties Union attorneys and nosy reporters, America's drug warriors could make their sanguinary dreams come true.

The story begins in 1989, when Washington sent a top-secret Army intelligence unit known as Centra Spike to help the Colombian government corral the leaders of the mighty Medellin cocaine cartel—especially its top man, a pudgy little psychopath named Pablo Escobar whose fondnesses included teenage hookers and roasting enemies alive. Using small spy planes to intercept communications—particularly cell phone calls—Centra Spike was able to pinpoint the locations of cartel leaders and pass them along to the Colombians.

That sounds like innocent enough police

wrong readers. The whole point of the development of a self-aware "high art" tradition, over the past 200 years, was disdain for this very audience. The whole point of creating highbrow cultural institutions—from PBS to your local cultural center—was to enable persons of "taste" to segregate themselves from everyone else. To the "taste" class, the popular Oprah represents the Dark Other against which it defines itself. In fact, the first people to complain about the Oprah sticker were customers at the little bookstores where Franzen did readings. It threatened their "taste" status.

Franzen blew everybody's cultural cover. Naturally, he got crucified by the very gatekeepers whose whole existence is based on taste management. The *New York Times* (!) actually attacked him in an editorial-page essay, one that laughed at the "high-art literary tradition." But that was on a Tuesday. The next Sunday, in the *Book Review*, the paper resumed managing that tradition.

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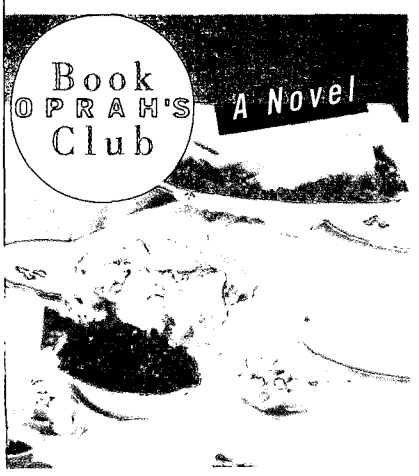


work, but it wasn't. The first time Centra Spike produced a narcotraffficker's address, the Colombians didn't try to arrest him. They sent a squadron of T-33 fighter-bombers to *annihilate* him.

Washington neither complained nor backed away. Instead, it dived in deeper. Eventually the FBI, CIA, DEA, the National Security Agency, the Bureau of Alcohol, Tobacco, and Firearms, the Army's Delta Force, the Navy, and the Air Force would all be lending a hand. At one point, there were so many American spy planes circling overhead in Colombia that the Air Force had to assign an airborne warning-and-control center (AWACs) just to keep track of them all.

The American aid to Colombian security forces continued even when the U.S. operatives saw them torturing suspects. Even when U.S. soldiers concluded that the Colombians were flinging captured men out of helicopters. And even when the Colombians organized Escobar's rival narcotraffickers into a death squad known as the People Persecuted by Pablo Escobar, or "Pepes" for short.

The Pepes murdered not just suspected drug barons but their lawyers, cab drivers, real estate agents, apartment building managers, horse trainers, and maids—perhaps as many as 300 people in all. There was overwhelming evidence that they were using intelligence supplied by Centra Spike and other U.S. agencies to target their killings, but the Americans never blinked. An American DEA agent, Javier Peña, was so chummy with the Pepes that one of them presented him with a gold watch. Peña is now in charge of the DEA office in Bogota.

It's a complicated tale that might have overwhelmed a lesser writer, but Bowden skillfully weaves a narrative studded with anecdotes that are hilarious, horrifying, and tragic, sometimes simultaneously. No magical realist could have imagined Escobar's young daughter wandering the lobby of a deserted Medellin hotel, singing her own lyrics to an old Colombian Christmas hymn: "The Pepes want to kill my father, my family, and me."

Pablo Escobar was eventually killed, though not by the Pepes; he was probably murdered by a Colombian cop as he lay on the ground, helpless from a leg wound. His death and the destruction of the Medellin cartel barely caused a blip in Colombia's cocaine trade, which passed into the hands of the country's Marxist guerrillas, who now pose a threat to the security of the entire region.

But then, the American drug warriors were never under any delusion that they were going to stop cocaine from flowing into the United States. "The Americans had signed on for this job believing that it was about something bigger," writes Bowden. "It was about democracy, the rule of law, standing up for justice and civilization."

That is, by trampling Colombia's constitution and subverting its already shaky criminal justice system, by executing criminal suspects without trials or convictions, by murdering cab drivers and housemaids, the American government sought to civilize Colombia. As we used to say in Vietnam, sometimes you've got to destroy the village in order to save it.

That's why nobody should have been surprised in May when a Peruvian jet, guided in for the attack by a U.S. intelligence aircraft, mistook a plane full of missionaries for drug smugglers and shot it down, taking the lives of a young Michigan woman named Roni Bowers and her infant daughter. It's only a small step from killing Pablo to killing Roni. ◻

Contributing Editor Glenn Garvin, author of Everybody Had His Own Gringo: The CIA and the Contras, recently completed five years as the Miami Herald's Central American correspondent.

Commuter Virus

Is American literature too soft on the suburbs?

Tom Peyser

White Diaspora: The Suburb and the Twentieth-Century American Novel, by Catherine Jurca, Princeton: Princeton University Press, 238 pages, $19.95

AMONG THE ATTITUDES that seem required of American intellectuals, loathing of the suburbs ranks high on the list. Since they can be despised for so many (if often incongruent) reasons, suburbs offer a target for writers with quite disparate agendas: The suburbs are racist and exclusionary; their fleshpots blunt the activist impulses of minorities who move to them; they destroy families; they distract from communal concerns by making family the focus of life; their oppressive conformity stunts individualism; they isolate the individual from the community; and on and on. That many Americans of all races continue to move to them in droves—dynamically transforming suburban life in the process—is a reminder of the irrelevancy of much of this chatter to the way people decide to shape their lives.

American novelists have done their bit to swell the chorus of lamentation. As Catherine Jurca notes in *White Diaspora: The Suburb and the Twentieth-Century American Novel*, "As a body of work, the suburban novel asserts," *pace* Tolstoy, "that one unhappy family is a lot like the next, and [that] there is no such thing as a happy family." Jurca, who teaches literature at the California Institute of Technology, displays an admirable impatience with the relentlessly gloomy view of suburban life that has become the stock in trade of whole rafts of American writers. Thus one typically finds the suburb served up as "the parodic antithesis of the good life, where gratification on every level is nonexistent." She does much to expose the willful bias of the suburban novel by repeatedly and contemptuously dismissing men who in their novels insist "how tough it is to be a white middle-class male."

Jurca, however, does not make that point in order to come to the defense of the suburbs. Rather, she insists that, appearances to the contrary, the negative representation of suburbs in the American novel functions on some obscure level as an *endorsement* of the ideology that makes suburbs seem like acceptable places to live; beneath all the apparent critique of the suburbs in the novels she examines, she discovers a kind of complicity. In her view, then, suburban novels fall short not because they exaggerate the degree to which suburbs should be hated, but because the reasons the novels present for hating them ring hollow, and ultimately are not even expressions of hatred at all. Or at least not the right kind of hatred.

Jurca knows why they should really be hated, and for her, the tradition of American suburban writing is essentially a smokescreen whose real function, in spite of its apparent indictment of suburbia, is to preserve white privilege by presenting the lives of white suburbanites as a living hell. Hence, when she reads Sloan Wilson's *The Man in the Grey Flannel Suit* (1955), whose protagonists worry about losing their identities and integrity as they are absorbed into big corporations and endlessly proliferating subdivisions, Jurca sees a complex strategy of empowerment: "The white middle class asserts its superiority to itself in the belief that middle-classness has been devalued." For Jurca, the "privileged" in society get a charge out of seeing themselves as beleaguered, oppressed, in exile. As the sarcastic title of the study makes clear, Jurca has no patience with the ideas she sees in these novels: White suburbanites have no business thinking of themselves as a people in diaspora.

If the deep meaning of these only apparently critical novels is one surprise in *White Diaspora*, another is Jurca's attempt to alter our idea of which books have something to teach us about the American suburb. Most readers probably think of John Cheever and John Updike as the founding fathers of such novels, but Jurca sees them as latecomers, and not particularly innovative ones at that. Thus she disposes of this pair, along with more recent figures such as Richard Ford (*Independence Day*), Rick Moody (*The Ice Storm*), and David Gates (*Preston Falls*), in a brief coda titled "Same as It Ever Was (More or Less)."

So what text does she put at the beginning of the tradition that leads to Updike, Cheever, Ford, Moody, and Gates? Edgar Rice Burroughs' *Tarzan of the Apes*, which was originally serialized in 1912. At least one of the four other novels she examines in detail is just as surprising: Richard Wright's *Native Son*, whose protagonist, Bigger Thomas, never sets foot outside the Chicago city limits. What is going on here? By looking at the way Jurca makes her arguments, and at the interests those arguments serve, we can get a good idea of what is happening in one dominant strand of academic literary and cultural criticism today.

As Jurca's concerns make clear, »

Bert and the Infidels

How a puppet joined the jihad.

Dann Halem

THE TRAIN STATION was probably built in the 1940s. Situated between the Elbe and Vltava rivers, somewhere near the border with Poland, the small Czech hub had two sets of tracks and a deserted general store. It was the only stop on an eight-hour train ride from Prague into Krakow. The mode of transport was antiquated communist coaches. There was no dining car, and I wanted a snack. Deciding to sample some regional pastry, I imagined quaint serving dishes and cuts of fresh cake.

Instead, I found Aerosmith and boxes of Snickers. The song "I Don't Want to Miss a Thing" screeched through a radio, just like it had at the Duomo in Italy. I would hear it again in Berlin and Amsterdam. It even topped the charts in sleepy Bohemian hollows that sold Snickers and Coca-Cola. If I learned one thing about the modern world, it's that you can't escape Steven Tyler.

Which is why it didn't surprise me when a picture of the *Sesame Street* character Bert showed up on Bangladeshi anti-American posters following the attacks of September 11th. It's about 4,300 miles from Prague to Dhaka. But as long as there are televisions and Internet hookups, popular culture will travel the most unexpected roads.

Reportedly, Bangladeshi protesters unwittingly downloaded the image of Bert and Osama bin Laden from one of a number of "Bert Is Evil" Web sites. These sites humorously suggest that the famously taciturn puppet is behind much evil in the world, doctoring photographs to show Bert alongside the likes of Adolf Hitler, Charles Manson, and Jeffrey Dahmer. With journalists anxious to report something lighter, pundits were quick to peg ill-tempered Bert as "bin Laden's felt-skinned henchman" and suggest that the puppet had finally abandoned his longtime companion Ernie and joined the Al Qaeda network.

Still, there's a lesson that goes beyond the obvious laughter. It's one about how popular culture gets used, transformed, and circulated by its consumers, with little or no regard for its producers' intentions or interests. Sometimes the result is a chuckle.

Other times it's a revolution.

Dino Ignacio created the first Bert Is Evil site in 1996, from his parents' home in a suburb of Manila. He says he did it simply to poke fun at an icon he loved as a child. Of course, this didn't stop the Children's Television Workshop, the makers of *Sesame Street*, from condemning Ignacio for sullying Bert's good name.

But what was *Sesame Street* doing in the middle of the Philippines to begin with?

"I'm the product of American imperialism," Ignacio quips from his home in San Francisco. He moved here in 1998 to complete a degree in computer animation. "Pretty much, your culture is my culture," he says, adding that his interest in Bert stemmed from a childhood fear of Bert's single, oversized eyebrow. Though Ignacio didn't create the Bert and bin Laden image, in a very real way Bangladeshi fundamentalists transformed his good-natured exercise in culture-jamming into something far more serious.

Like Snickers, Aerosmith, and Coca-Cola, products such as Bert—and even his "evil," unauthorized parodies—transcend not just international borders but also intended meanings. Consider a widely reprinted story filed last year by Daniel McGrory. McGrory explained how Larry Hagman—who played J.R. Ewing, the sybaritic villain of the old soap *Dallas*—had become a national icon in post-communist Romania.

It turns out that Nicolae Ceausescu strictly limited what Romanians were allowed to watch on TV, with most shows depicting the greater glories of the dictator. The one exception, McGrory explains, was *Dallas*, which Ceausescu aired "to show the evils of capitalism." The plan backfired, as one Romanian entrepreneur explained: "We saw all that glamour, the cars, the beautiful women, and the huge houses and asked ourselves 'Why can't we have that?' So the people took Ceausescu out and shot him." Hagman himself explained that he had been "feted like a head of state" on a recent trip to Romania. "Folk were telling me that I helped their revolution," he said. "One government minister told me that more people cared about who shot me than who shot Ceausescu."

Whether Filipino artists, Romanian rebels, or Islamic fundamentalists, people will use what's at hand to send a message. Bert meets bin Laden. J.R. topples Ceausescu. Weird, random and—in their own way—wild and wonderful happenings.

Dann Halem is a Los Angeles writer.

›political and historical questions sit right at the center of the kind of analysis she undertakes, a mode of criticism affiliated with the movement calling itself "the New Historicism." The New Historicism is one of several critical schools that sought to replace the New Criticism, which dominated academic writing about literature in the middle decades of the 20th century. It was the New Criticism that popularized the phrase "close reading," and its adherents ran through

Everyone gathered around the coffee machine in the English department lounge may know that white flight causes urban poverty, but that doesn't mean it's true.

the entire literary corpus, producing detailed analyses purporting to show the elaborate network of meanings that made literary texts capable of being endlessly interpreted (and thus endlessly scrutinized on the pages of scholarly journals).

By the 1970s, however, writing the umpteenth article on sheet lightning imagery in *The Scarlet Letter* or *Macbeth* did not seem like a great way to make a splash or launch a career, and so a new methodology had to be generated. Now it was asserted that by focusing relentlessly on the text, the New Criticism woefully neglected the context, and further that what a text meant when it was written could be recovered only by scrupulous attention to its specific historical milieu. Thus instead of seeing a Wordsworth poem as a New Critic might—as a depiction, say, of certain universal aspects of human experience, such as memory and self-consciousness—a New Historicist would see it as a depiction of bourgeois mentality confronted with a rapidly industrializing economy. The hardheaded, often Marxist bent of such writing had the added benefit of conferring a sense of political urgency on one's musings about Alexander Pope or Henry James. Authors being subjected to analysis are often divvied up into two camps: those who subversively undermine dominant ideology (good), and those whose writing works to "contain" any conflicts that might disrupt the status quo (bad). Some New Historicists, it should be noted, disdain this separation of the sheep from the goats, since they insist that *any* move an author might make somehow or other fits neatly into the structure of the social system, even if he thinks he is striking out against it.

There is absolutely nothing wrong with or even new about reading literature politically and historically. Plato, after all, had Socrates ban poets from the ideal city in *The Republic* because of their potential to disrupt civic life. And there was a large measure of truth to the complaint that New Critics' readings often issued bland platitudes about "the human condition," flattening the real differences between authors and eras. But given her motivating concern about actual historical conditions, one might expect a critic like Jurca to be highly interested in the question of whether writing about suburbs accurately or inaccurately reflects the reality of suburban life. After all, historians have always been interested in detecting the biases of literary representations, an enterprise that requires some notion of historical reality against which to measure the representations in question.

However, in an almost offhand comment that is entirely representative of much allegedly "historical" literary criticism, Jurca announces that "the primary object of my analysis" is "the suburb as created in and through various discourses, rather than the suburb itself." In other words, she will dissect the ideological implications of texts about the suburb, but she will not delve too deeply into the historical and sociological data that provide the context historians—as distinct from some literary critics—would consider crucial for gauging their significance.

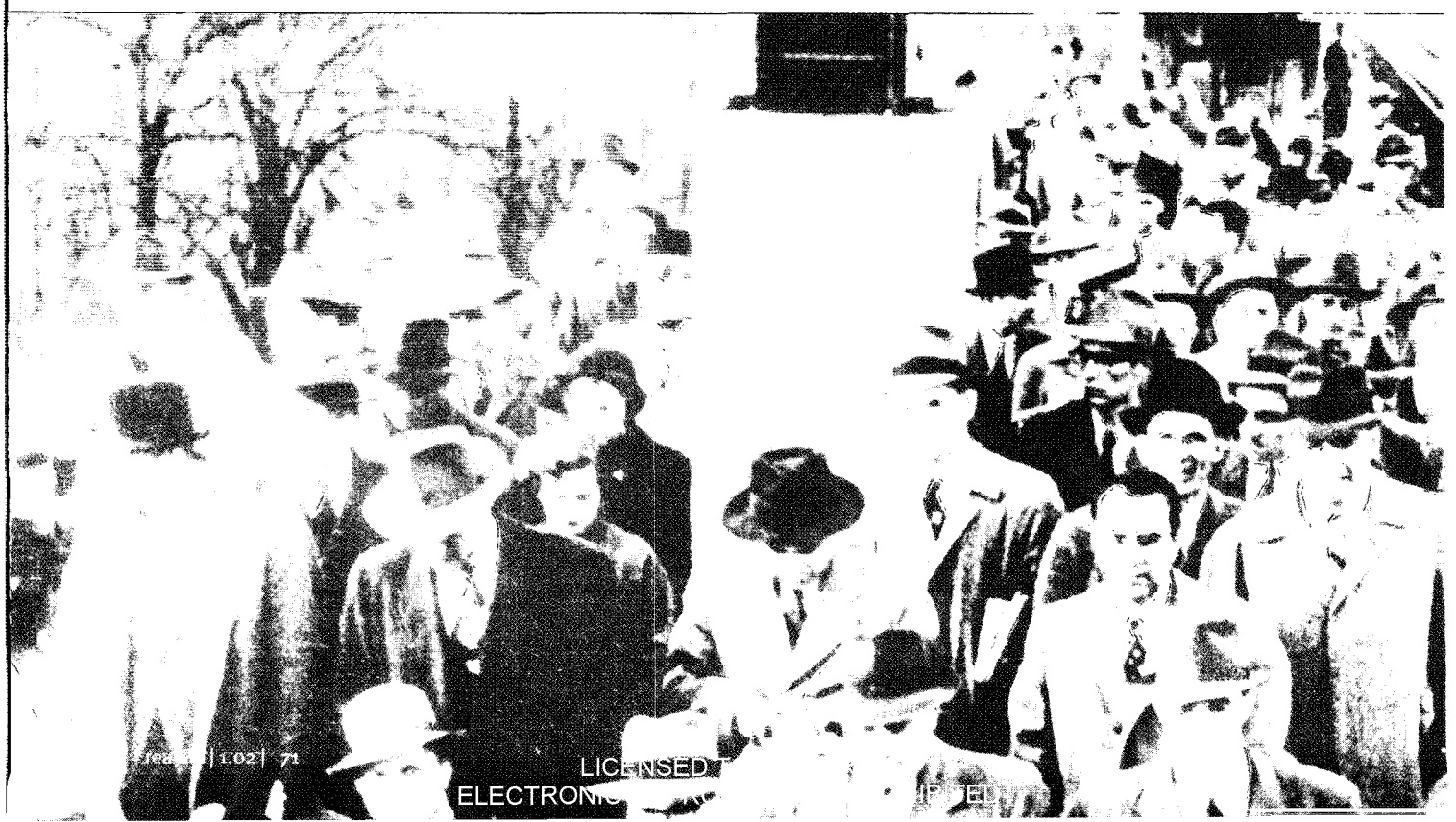
As a result, crucial facts about "the suburb itself" are in pretty short supply in this study. Although this book is centrally concerned with the way suburban writing seeks to protect the whiteness and middle-classness of the suburbs, one has to wade into the footnotes to find a reference to recent historians' discovery that the suburbs have never been as white or middle-class as often supposed. This fact does not mean, of course, that Jurca must junk her thesis about the racist underpinnings of some suburban novels, but such facts ought to figure prominently in a study purporting to show how such novels relate to their historical context.

More damning to Jurca's argument, some of the things presented as facts are instances of ideological bias *par excellence*, just the kind of thing she claims to be exposing. In the places where Jurca tells us exactly why the suburbs really are bad, she is relying on rumors rather than knowledge. She speaks, for example, of "the relation of white flight and freedom to black homelessness and incarceration within the city," and lauds Richard Wright for providing a "reality

check" that allows us "to gauge...the real injuries inflicted on those who are denied the opportunity to become upwardly mobile in the suburbs." Everyone gathered around the coffee machine in the English department lounge may know that white flight causes urban poverty, but that doesn't mean it's true. In a painstaking study of data from the 1980s, one opponent of unregulated suburban growth was forced to admit that he could find no significant statistical relationship between suburban sprawl and urban decline. (See "Acquitting Sprawl," June 2000.)

Since Jurca is not at pains to verify some of the crucial assertions she presents as facts, the moments when she does castigate novelists for their failure to conduct "reality checks" are among her oddest and least persuasive. While poking fun at what she sees, sometimes rather unfairly, as the trivial concerns of "sanctimonious suburbanites" in Sloan Wilson's *The Man in the Gray Flannel Suit*, she even goes so far as to praise the tyrannical Robert Moses ("famed New York planner," she gushes) as an "enlightened writer" because he took time out from destroying urban lower- and middle-income neighborhoods to say some nasty things about the "fly-by-night subdivision." She somehow fails to mention that his massive highway projects enabled the sanctimonious suburbanites to get out of the city and into the suburbs in the first place. Further examples of enlightenment include others' claims that the suburbs are "'parasites' that fed off the central city but gave nothing in return." The cumulative result of such moments is a slanted, oddly unhistorical historicism, one that allows Jurca to conduct her analyses in a textual laboratory that in some ways is as wilfully cut off from the hard facts of history (in this case, "the suburb itself") as the mid-century New Criticism is said to have been.

Which brings us to Tarzan. Jurca wants to argue that what happens to Tarzan in Africa functions as an allegory for what suburban whites feared might happen to them in America, and that that is why Burroughs deserves to be thought of as a forerunner of the suburban novel. Tarzan fights to keep black Africans away from the house his British father built and from its environs (which Jurca insists on calling his "neighborhood"); white suburbanites did not want black Americans to live too nearby. Burroughs was a segregationist racist; many white suburbanites were segregationist racists. Although Jurca tries to splice Africa and suburbia together, sometimes the movement from one to the other is awkwardly bumpy. Hence, says Jurca, *Tarzan of the Apes* is "an African adventure story that dramatizes the awful consequences of bringing black skin and white skin together in the same neighborhood. As American cities grew more crowded and more heterogeneous, city officials, planners, developers, and house owners



LICENSED
ELECTRONIC

sought to preserve home environments."

The problem here is not that novels and poems are not in fact tied to the politics of the world from which they emerge, but that Jurca can link *Tarzan* to the suburbs only by describing the novel in terms so general as to detract from the historical specificity of her argument in two ways. First, if the aspects of *Tarzan* upon which she concentrates are sufficient to show that the novel has something to do with the American suburb, then *Robinson Crusoe* (1719) can be shown to be about the anxieties of turn-of-the-century American suburbanites, too, since Crusoe manages not only to repulse dark-skinned people who, as Jurca might write, want to move into his neighborhood, but also to turn one of them into his live-in help—his man Friday.

Second, if racism and white fear of being overrun by other races are the salient features of *Tarzan*, why does that suggest an analogy to white suburban Americans instead of, say, to white urban Americans? Perhaps more to the point, what about British imperialists in Africa (such as Tarzan's father), or American imperialists at work in the Philippines when *Tarzan* was published? These colonizers, after all, can be related to Burroughs' book a good deal less tortuously than can suburbanites. Ultimately, the connection upon which Jurca stakes her argument is more rhetorically than logically compelling: After Burroughs became rich and famous, he went into the real estate business by promoting Tarzana in Los Angeles—like many such developments at the time, for whites only.

Jurca is on much firmer ground when discussing novels that depict a fear not of a threat from without, but within: the alleged tendency of the suburb to induce "middle-class suffering" that is revealed in novels like *The Man in the Gray Flannel Suit* and Sinclair Lewis' dissection of middle-class conformity, *Babbitt* (1922). She shows that Updike and Cheever do not in fact deserve credit for inventing their characteristic mode of hand wringing. Less persuasive is her claim that this kind of hand wringing actually "empowers" middle-class readers. According to Jurca, many suburban novels confer on suburbanites an ennobling self-pity by endowing these basically comfortable folk with an artificial sense of victimhood. Her analysis of *Babbitt*, for example, culminates in the following claim: "The challenge of being middle class, for Lewis, is to enjoy the trap, not to escape it, to feel sorry for oneself as one struggles in and benefits from it." But if empowering the middle class is what it's all about, wouldn't it have been easier just to celebrate middle-class life and jettison the self-pity?

This question leads to another. Since Jurca wants to present the "ways of thinking about and representing the twentieth-century suburb and suburban house" in "various discourses," it is particularly striking that she does not even mention the "discourse" that established the most broadly disseminated image of the suburbs during the period she examines, namely that of 1950s television. If grim renderings a la *Babbitt* really served the white middle-class establishment so well, then why did we never see June Cleaver track down Ward to his love nest? Why weren't Princess and Bud discovered in an incestuous knot? What happened to the episode in which Ozzie and Harriet default on their mortgage? Jurca, who has written elsewhere about film, may indeed have some interesting answers to these questions, but she gives no hint of them here.

If Jurca's ideas about empowerment are not wholly convincing, how are we to account for the irrational scorn loaded upon the suburbs and those who choose to live in them? One possible cause might be a residual strain of puritanism in American culture, an itch to deride worldly comfort or success, especially when they are judged insufficiently "communal," and an attempt to promote "the assumption that affluence and misery are intertwined." This assumption, as Jurca amply demonstrates, has certainly empowered many writers of novels set in suburbia. When considered in these terms, however, *White Diaspora* itself, with its suspicion of suburbs as sites of inegalitarian privilege, seems to be of a piece with the novels it dissects.

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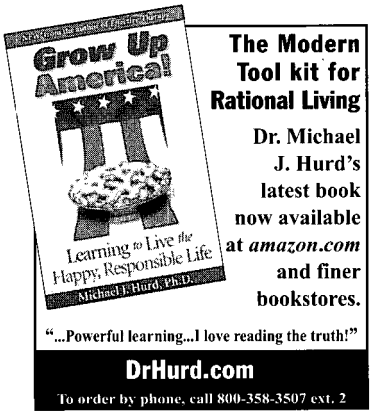
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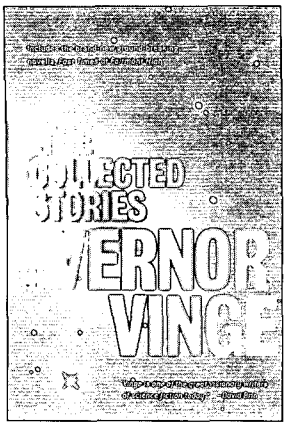

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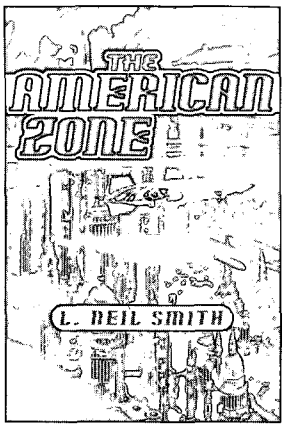

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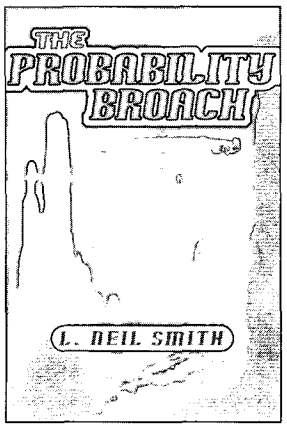

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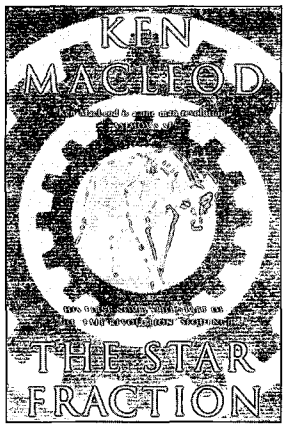

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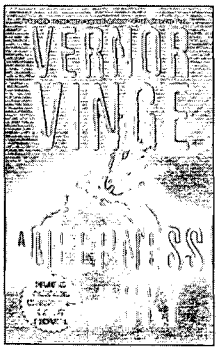

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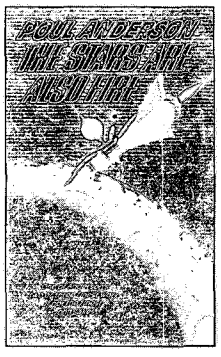

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Revolutions Per Minute

Charles Paul Freund

Is orchestral classical music reaching its coda? If one believes the press, the form is dead. CDs with big symphonic performances (like these) are selling poorly; such music is fading from radio; concert audiences are made up of geezers; and several major-city orchestras face collapse. One critic laments that such music "plays a smaller role in middle-class life than at any time since Beethoven's death."

The usual suspects have been cited in the post-mortems: rock music, television, the Three Tenors, stupefying avant-garde atonality, format-switching radio philistines, star-struck recording executives, corporate inventory trimmers (especially at Tower Records), lousy music education, etc. Even orchestral subsidies are cited, on the valid theory that they reward "culture" in a vacuum and promote music that audiences find uninteresting and even bad.

The truth of the matter is quite different. The classical audience isn't gone; it has changed. As Canada's *National Post* observes, it's been fragmented. Rather than equating Romantic symphonies with good musical taste, there are ever more "small but vital audiences for more specialized period music ranging from the chants of medieval monks to baroque medleys." Indeed, thanks to low CD production costs, there's more classical music available than ever. Thus, "collapse" turns out to be renewal, and "decline" is actually efflorescence. The same old song.

Solving Shortages through Teacher Cooperatives

Paul T. Hill is a research professor at the Center on Reinventing Public Education, University of ashington; distinguished visiting fellow, Hoover nstitution; and member, oover's Koret Task Force on K–12 Education.

Although evidence is mixed about whether there is a national shortage of teachers, big-city schools definitely have trouble finding capable people. There are also general shortages in science, mathematics, and special education.

Civil service and collective bargaining conventions prevent school systems from getting the teachers they need in three ways: by forbidding extra pay for people with rare skills; by tying pay increments to seniority rather than performance; and by emphasizing training in pedagogy over knowledge of content, even in math and science.

These problems all stem from politics and collective bargaining. One possible solution is to create a new status for teachers with rare skills. Science, mathematics, special education, and other **teachers could be employed by independent organizations, which would be vendors to the school district and provide instruction on a contract basis.** Such organizations—let's call them teacher cooperatives—could employ and provide salaries and benefits for teachers for whom the school district would pay on a contractual basis. They could pay as much as districts now pay for teachers—more than $60,000 a year, combining salaries, benefits, and expenditures for in-service training and substitutes. The cooperatives would then be responsible for recruitment, training, and compensation.

As contract employees, teachers would not be covered by the same rules on pay and certification that now constrain school districts. Younger teachers, who would receive relatively low pay as district employees, might prefer to work through cooperatives.

Teachers employed by a cooperative could be assigned to work in more than one school. Thus, an advanced physics teacher might be able to work in two or three high schools rather than just one. Some individuals might keep jobs in industry or pursue advanced degrees while working part-time as teachers. Community college faculty could also moonlight (or daylight) as schoolteachers. Cooperatives could pay more for teachers with advanced degrees than colleges and universities now pay their adjunct faculty.

Individual teachers' pay and benefits, including contributions to vested retirement accounts, could be based on scarcity of skills and individual performance, rather than on seniority. Thus, highly capable younger people, and individuals who were masters of pedagogy in one discipline, could maximize their own productivity and pay.

Cooperatives—with strong incentives to use teachers' time as efficiently as possible—would assign teachers only to those courses that they taught especially well. Cooperatives would also promote experimentation with effective ways to use capital, especially computer-based instruction and televised presentations by master teachers. The cooperatives might, in fact, be the mechanism whereby high-leverage uses of technology are finally brought into the public schools.

Cooperatives might also provide school leaders. As with teachers, school leaders would be contract employees and thus would not have to meet all the arcane requirements that apply to district-employed school principals. School districts facing shortages of principals would then be able to tap a fresh supply of people experienced in managing small organizations.

Cooperatives would eventually be self-supporting. Philanthropic funding and initiative, however, are needed to get them started.

— Paul T. Hill

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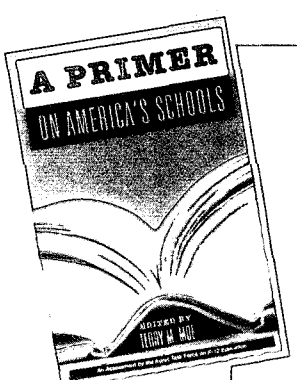

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